

OREGON DEPARTMENT OF TRANSPORTATION

Office of Civil Rights

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TITLE VI UPDATE ACCOMPLISHMENT REPORT



July 1, 2009 - June 30, 2010

OREGON DEPARTMENT OF TRANSPORTATION

Title VI Update

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TITLE VI PROGRAM SUMMARY

July 1, 2009 – June 30, 2010

Introduction

The Oregon Department of Transportation (ODOT) is a recipient of Federal financial assistance. All recipients are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964. Title VI of Civil Rights Act of 1964 forbids discrimination against anyone in the United States because of race, color, or national origin by any agency receiving Federal funds.

Simply stated, ODOT is to ensure that none of its activities or programs treats any part of the community any different than another. ODOT expects every manager, supervisor, employee, and subrecipient of Federal-aid funds administered by ODOT to be aware of and apply the intent of Title VI of the Civil Rights Act of 1964 and related authorities in performing assigned duties.

The Federal Highway Administration (FHWA) requires recipients of Federal-aid highway funds to prepare an update report to clarify accomplishments, roles, responsibilities and procedures established to ensure compliance with Title VI of the Civil Rights Act of 1964. The following report focuses on 2009-2010 compliance performance within each functional program area and provides an update and status of the ODOT Title VI Program for the period.

Authorities

Title VI of the Civil Rights Act of 1964, (42 USC 2000d to 2000-4):

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

The Civil Rights Restoration Act of 1987, (Pub. L. No. 100-259):

The Civil Rights Restoration Act of 1987 broadens the scope of Title VI by expanding the definitions of terms “programs or activities” to include all programs or activities of Federal-Aid recipients, sub-recipients, and contractors.

23 CFR 200 and 49 CFR 21:

23 CFR 200 and 49 CFR 21 are administrative Regulations from USDOT and FHWA that specify requirements for state DOTs to implement Title VI policies and procedures at the state and local levels.



Federal-Aid Highway Act of 1973, (23 USC 324):

The Federal-aid Highway Act of 1973 provides that no person on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.

Age Discrimination Act of 1975, (42 USC 6101):

The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.

Americans With Disabilities Act of 1990, (Pub. L. No. 101-336):

The Americans With Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973:

Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.

Executive Order 12898:

Executive Order 12898 establishes Federal requirements to address Environment Justice in minority populations and low income populations.

Executive Order 13166:

Executive Order 13166 establishes requirements to improvement access to services for persons with limited English proficiency.

Policy Statement

See **Appendix A** for Director's Policy Statement regarding Title VI for ODOT.

Organization, Staffing & Structure

During the 2009-2010 reporting period the Title VI Program was lead by Gregory Azure, Title VI Program Manager. Mr. Azure reports directly to Michael A. Cobb, Manager, Office of Civil Rights. Mr. Cobb reports directly to the Chief of Staff, Joan Plank, Office of the Director, Oregon Department of Transportation. Matthew Garrett is the Director of the Oregon Department of Transportation. (See **Appendix B** for ODOT organizational Structure). This organization structure is compliant with 23 CFR 200.9 (b).

For a chart showing The ODOT Office of Civil Rights organization structure see **Appendix C**.



Title VI Monitoring & Review Process

In preparation for the 2009 – 2010 Annual Update and Accomplishments Report the Title VI Program Manager issued a requested to each special emphasis ODOT program area to submit information and data that document program Title VI compliance performance. Each submitted program area Title VI report was reviewed to monitor Title VI compliance. Reports were received from Planning, Environmental, Project Development, Right of Way, Construction and Research and are included in the next section. No formal ODOT program area reviews were conducted during the year.

During the 2009-2010 reporting period the Title VI Program worked with each major program area to conduct self-assessments of their operations to identify those activities that included Title VI responsibilities. Each program is being asked to update policies, procedures, and other guidance to ensure that Title VI requirements are integrated into the operational and administrative structures of the functional areas within each major program. Each program is being asked to develop formal Title VI reporting mechanisms to be able to effectively collect specific information and data on the status and extent of the activities within their areas of responsibility. Reviews of progress on these integration initiatives will be conducted during CY 2011.

Local government and MPO sub recipients have received clear guidance on what is required to comply with Title VI. Guiding documents are in place to assist sub-recipients as they implement Title VI programs at the agency level. The ODOT Title VI Program has worked with the ODOT Local Government Section (LGS) to update guidance on Title VI policy disseminated to local agencies. Agencies that seek certification to more independently deliver their own federal-aid projects are guided by the Local Agency Guidelines (LAG) Manual. The LAG Manual contains a chapter on civil rights requirements and includes specific instructions on Title VI requirements that have to be met as part of this certification. On another front, the ODOT Transportation Development Division, Planning Department, has issued a Title VI Guide for Planning that provides planners with the necessary guidance and tools to implement Title VI planning requirements at the local agency level. In addition, the ODOT Title VI Program has produced a summary level document, *ODOT Title VI Program Sub-recipient Requirements Policy* which has been issued and distributed to local agencies to provide core guidance on Title VI assurances, plan, and reporting responsibilities.

Formal reviews of the City of Portland Bureau of Transportation and the Central Lane Metropolitan Planning Organization are scheduled to be conducted in July and August of 2010. Preparation for the reviews has been comprehensive to include development of a questionnaire, scorecard, and onsite interview template.



Accomplishments

Training

OCR is implementing a plan to conduct Title VI training state-wide to ODOT technical centers within each of the 5 ODOT Regions. During the 2009-2010 reporting period the Title VI Program conducted training in Region 1 and 2. These regions represent ODOT's two most populace regions. Training is planned in Region 5 in August, 2010, Region 3 in November, 2010, and Region 4 spring of 2011. In addition, Title VI training of sub-recipient agencies was provided on March 12, 2010 at Oregon State University (OSU). The OSU training reached a state-wide audience of local agencies and ODOT Local Agency Liaison's and program staff via a webcast. Development of web-based training resources is being explored as a future option to ensure that both ODOT internal program staff and local agency staff have ready-access to Title VI information.

Reviews

During the reporting period a sub-recipient review questionnaire and a template for conducting onsite interviews were developed. Development of these core review tools will assist in structure upcoming formal reviews of City of Portland and Central Lane MPO. Questionnaires were mailed to those being reviewed in June 2010 and onsite interviews will be conducted in July and early August 2010. Final reports will be issued to the agencies in late October 2010 with the summary findings from the reviews.

Title VI Plans

Title VI plans are being developed at the local agency level. ODOT's Title VI Program is providing on-going support and guidance to these organizations as they develop and finalize their plans.

During the 2009 -2010 reporting period 3 plans were approved. Support and guidance is being provided to 3 agencies as they proceed to finalizing their plans.

The table below summarizes this activity by showing approved plans and date of approval:

<u>Approved Title VI Plans</u>	<u>Date of Approval</u>	<u>Population Served</u>
Metro MPO	04-02-07	500,000 +
City of Portland	05-07-09	545,140
Central Lane MPO	12-09-09	242,297
* SKATS MPO	08-19-10	244,000
* City of Salem	08-24-09	142,940
* City of Eugene	08-25-09	143,910
 <u>Plans in Draft</u>		
Bend MPO	N/A	+50,000
Multnomah County	N/A	717,880
Clackamas County	N/A	376,660



* Approved 2009–2010 reporting period

Website

During this reporting period the Title VI website was updated and improved the update includes numerous additional resource links to access information regarding legal and regulatory requirements. Links have been made available on the site that provide access to federal valuable title VI guidance. The website can be accessed by going to: http://www.oregon.gov/ODOT/CS/CIVILRIGHTS/titlevi/title_vi.shtml

Complaints

Two complaints were received during the 2009-2010 reporting period. A Summary of the complaints follows:

Complaint	Type	Complainant	Complaint Source	Response / Resolution	Status
Access on historic bridge structure	ADA	Disabled Individual	FHWA-Oregon Division	Provided design analysis in regards to SHPO requirements and decision-making process	No further communication
Lack of participation as DBE firm on projects	DBE	DBE Contractor	FHWA-Headquarters	Provided FHWA with response along with DBE contracting data in response to RFI	No further communication

See **Appendix D** for a description of the ODOT Title VI complaint process.



PROGRAM AREA REPORTS

Planning

1. How many consultant projects for planning were awarded during the reporting period?
Dollar Value?

TDD Planning Section

Freight Planning: Awarded two consultant projects during the reporting period under Price Agreement number 25962, Work order 5 for \$84,000 and 25963, work order 7 for \$33,591

Transportation Analysis Unit (TPAU): TPAU had no new contracts awarded between July 2009 and June 2010.

Planning and Implementation Unit: Awarded two consultant contracts during the reporting period

- ◆ STIP Criteria contract to Jeanne Lawson Associates Public Involvement for \$143,248
- ◆ Flexible Fund Program Advisory Committee Facilitation contract for \$19,997

Long Range Planning: Awarded one contract for HB3379 Implementation Angelo Planning Group \$235,572

Total = 6 contracts for a total dollar amount of \$516,408.00

Transportation and Growth Management (TGM)

Between July 1, 2009 and June 30, 2010, 34 personal services contracts were signed for a total of \$3,002,563.

Region 1 Planning

17 contracts were awarded during the reporting period for a total of 4,000,200.46. These projects were:

- ◆ Tonquin Trail Master Plan Study (\$249,084.)
- ◆ Sunrise Project Final EIS & ROD (\$2,015.64)
- ◆ I-5 - I-205 Freeway Operations Improvement Analysis (\$226,081.)
- ◆ US26 @ Brookwood Parkway, Phase 1 (\$62,690.)
- ◆ I-84 Troutdale IAMP & Project Support (\$199,941.)
- ◆ OR217 IAMP (\$426,747.)
- ◆ Development Review Traffic Support (\$74,670.)
- ◆ Region 1 Hours of Congestion Report (\$159,372.)



- ◆ Congestion Pricing Program (\$524,734.)
- ◆ VISSIM Protocol Update (\$143,366.)
- ◆ Cascade Locks Closure Mitigation Plan (\$39,924.)
- ◆ I-5 Rose Quarter Study Facilitation (\$150,000.)
- ◆ SE 172nd Avenue Alternatives Development Project (\$1,484.82)
- ◆ Region 1 VISSIM Operational Corridor Development (\$396,598.)
- ◆ I-5 Delta Park – Lombard HOV Reassessment (\$22,783.)
- ◆ Economic Assessment of Potential Highway Tolling Options (\$74,920.)
- ◆ SW Capitol Highway Plan Refinement (\$195,311.)
- ◆ HCRH State Trail Plan (\$410,000.)
- ◆ Canby TSP Plan (\$141,450.)
- ◆ Sandy TSP Plan (89,029.)
- ◆ I-205 Multi-Use Path (\$410,000.)

Region 2 Planning

Area 1 - Two work order contracts were initiated at the end of the period using the Statewide TEPE Price Agreement:

- Astoria Transportation System Plan
- US 101 Facility Plan: Camp Rilea to Surf Pines

Astoria was awarded to DKS Associates and Camp Rilea was awarded to CH2M Hill. Work Order Contracts will be negotiated early in FY 2011.

Area 3 - No contracts were issued. All planning project work funded through the SPR Program during the reporting period had been initiated before July 1, 2009, or was the result of extensions of existing consultant contracts.

Area 4 - No contracts were issued. All planning project work funded through the SPR program during the reporting period had been initiated before July 1, 2009, or was the result of extensions of existing consultant contracts.

Area 5 - Six work order contracts were issued during the period. Four of these were implemented using the Region 2 Planning Flexible Services contract with CH2M Hill:

- Springfield Transportation System Plan
- Eugene Transportation System Plan
- Coburg Transportation System Plan
- Central Lane MPO Planning Project Coordination Assistance

Two of the Six were awarded to DKS Associates using the Statewide TEPE Price Agreement:

- Junction City Transportation System Plan
- Oregon 126 Business Route Safety Study



Two miscellaneous work order contracts were issued during the period using the Region 2 Planning Flexible Services contract with CH2M-Hill:

- *The Oregon 99W Facility Plan.*
- *A planning assistance work order to help the communities in the Central Lane MPO area develop a coordinated process for simultaneously updating the Regional Transportation System Plan (RTSP), the RTP, and a variety of TSPs and facility plans.*

Area 1 - *Two work order contacts were issued during the period using the Region 2 Planning Flexible Services contract with CH2M-Hill:*

- *Miles Crossing/Jeffers Garden Transportation Study*
- *Seaside's Transportation System Plan.*

Area 3 - *Two work order contacts were issued during the period using the Region 2 Planning Flexible Services contract with CH2M-Hill:*

- *Cordon Road Interchange Study and survey work for the area around the intersection of OR 22.*
- *OR 51 in Polk County in preparation for starting an IAMP in the 09-11 biennium.*

Area 4 - *No contracts were issued. All planning project work through the reporting period had been initiated before July 1, 2008, or was the result of extensions of existing consultant contracts.*

Area 5 - *One work order contract was issued during the period using the Region 2 Planning Flexible Services contract with CH2M-Hill for the Beltline Facility Plan.*

The total value of these work orders will be approximately \$2 million.

Region 3 Planning

Region 3 Planning operates primarily under a price agreement with David Evans and Associates, Incorporated, which was awarded the price agreement in a competitive process open to all qualified firms and involved the collaboration of Region 3 Planning, the Oregon Department of Transportation (ODOT) Procurement Office (OPO) and the ODOT Office of Civil Rights. Region 3 Planning initiated five work order contracts and six amendments during the reporting period totaling \$704,594.56:

- *Interchange Area Management Plan (IAMP) for Interchange 33 (\$250,468).*
- *OR-99 Rogue Valley Highway Corridor Plan (\$264,373).*
- *OR-99 Title VI (\$15,924).*
- *US 101 Brookings to California Access Inventory (\$5,000).*
- *OR-99 Rogue Valley Highway Access Inventory (\$8,000).*



- Amendments (35 IAMP, 61 IAMP, 129 IAMP, 14/19 IAMP, I-5 Corridor Plan, Coos County TSP) totaling \$159,905.

Region 3 Planning operated under a contract with Mail Tribune, Inc.

- Web Work (\$924.56).

Although not awarded during the reporting period, Region 3 Planning operated under an existing Environmental Impact Statement contract with URS Corp for the following projects

- IAMP and goal exception work for OR 62 (pending, still in pre-planning phase).

Region 4 Planning

Region 4 did not award any consultant planning projects during the report period.

Region 5 Planning

One consultant work order contracts were awarded to Kittelson & Associates through the Land Use/Transportation Planning Statewide Flexible Service Agreement to Agree (ATA) #23482. The work order contract included the I-82/US 730 (Umatilla) IAMP for \$189,172.

2. What efforts were made to utilize minority and female consultants and subcontractors?

TDD Planning Section

Each Work order and contract was processed through the OPO and was reviewed by the ODOT Office of Civil rights to assign Disadvantaged Business Enterprise (DBE) and Minority, Women and Emerging small Business (MWESB) targets and goals. TPAU currently has a Price Agreement with a female owned consulting firm.

Transportation and Growth Management

Statements of work for all TGM projects are sent to the Civil Rights Section to have a DBE goal set on each project. The TGM Program has consultants on price agreement; there are two types of projects:

- Category 1 – Transportation Focused and the other is
- Category 2 – Land Use Focused

There are two consultant teams that utilize the same DBE firm in Category 1, one Prime in Category 2 and six other consultant teams which utilize a total of 10 DBE firms.



Region 1 Planning

I-205 Multi-Use Path: ODOT/Friends of Trees tree planting initiative (in racially and economically diverse neighborhoods); participation in EPO/EXPO, Portland Opportunities Industrialized Center (POIC) youth and Verde. Friends of Trees/ODOT awarded a \$410,000 Metro Capital grant for 3-year neighborhood tree planting initiative in ODOT right of way along I-205 Multi Use Path. First year of plantings completed. Grant provides subcontracts to Portland Opportunities Industrialization Center, an on-the-job training program focusing on youth of color - several POIC members got training as tree planting crew leaders. A portion of the grant pays Verde, a non--profit green landscaping and preservation organization providing on the job training for Latinos to provide watering and tree cultivation for the trees planted along the path.

** ODOT awarded \$50k to Alta Planning + Design to be used when implemented to improve the I-205 MUP as it cuts through economically and racially diverse neighborhoods.*

Region 2 Planning

All work orders were processed consistent with the Region 2 Planning Flexible Services contract with CH2M-Hill or the Statewide TEPE Price Agreement. All appropriate procedures were followed through the Request for Proposal (RFP) and consultant solicitation process to ensure all Title VI requirements were met regarding the use of female and minority consultants and subcontractors including establishment of DBE Goals as required by ODOT's standard operating procedures and, in the case of the TEPE Mini-Solicitation process, proper publication of the opportunity to all qualified primes with DBE sub-consultants.

Region 3 Planning

As noted in question 1, Region 3 Planning operates primarily under a price agreement with David Evans and Associates, Inc., and URS Corp for work performed in conjunction with pre-existing environmental work. The Region 3 dedicated project manager representing David Evans and Associates, Inc. is female. Region 3 Planning has also utilized other existing contracts for specialty work (i.e. web development, household survey).

The price agreement and contracts under which Region 3 Planning has operated have been drafted in coordination with the OPO and the ODOT Office of Civil Rights. All DBE and Title VI requirements were complied with. Our DBE goals were set at zero. However, DEA does contract with minority and female sub consultants.

Region 4 Planning

N/A – No contracts awarded during reporting period.



Region 5 Planning

Region 5 primarily uses the Land Use/Transportation Planning Statewide Flexible Service ATA which is in compliance with the Title VI requirements. Our DBE goals were set at zero for both the I-82/US730 (Umatilla) IAMP.

3. Were there any studies conducted which provided data relative to minority persons, neighbors, income levels, physical environment, and travel habits? If so, what type of assistance was provided by those individuals responsible for Title VI to ensure that Title VI considerations were included in the studies?

TDD Planning Section

The Oregon Household Activity Survey collected data between July 2009 and June 2010. Oregon households were contacted as part of a random sample of the population to meet our modeling data needs. Data was gathered on household size, age, income, location and travel patterns. We developed and used Spanish-language survey materials and conducted over-sampling of Hispanic households in some areas to gain a better understanding of minority travel behaviors.

Transportation and Growth Management

1C-09 Gresham, Safe Routes to School Project Identification -- Gresham selection of schools included schools located in areas with relatively high residential minority populations. In particular, Davis Elementary is located near Rockwood, the community that is home to a high percentage of Hispanic persons.

1E-09 Hood River, TSP -- GIS layers were created which included environmental resources. Specific data for minority populations was not conducted. Analysis looking at gaps in pedestrian-bicycle network particularly for school access is being conducted. (City has a dial-a-ride transit service only within the City, and limited intercity service to The Dalles and Portland (3 x a week.) focus of dial a ride is on seniors, the disabled and transportation disadvantaged.)

1F-09 Portland, Outer Powell Blvd Conceptual Design Plan -- During the July 1, 2009 - June 30, 2010 timeframe, the Outer Powell Blvd TGM Project was just beginning. Project staff had begun development of an Outer Powell Blvd Project Community Outreach Plan, which included Title VI considerations and study of community composition within and near the project area. However, the Community Outreach Plan was completed after June 30th, 2010.

1J-09 Estacada Downtown & Riverside Area Plan -- Consultant (TGM funded) developed GIS layers with environmental resources. Also gathered data on



income and persons-per-household for economic assessment of City housing and retail needs in the downtown-riverside area. Assessment of pedestrian accessibility downtown is considering needs of the disables/ADA design.

1T-07 Canby, TSP -- GIS layers were created which included environmental resources. TSP Update was done at the same time as City transit plan update (not a TGM project; City funded). The transit plan advisory committee included seniors and persons with disabilities.

2L-07 City of Aurora, TSP – No studies were conducted. As a small city TSP, there wasn't budget to do such studies, But included a focus on providing a safe and convenient system of pedestrian and bicycle infrastructure, which would provide more options for those with limited incomes who do not have access to a personal car and those in wheelchairs who now must ride in the street.

2R-09 City of Woodburn Downtown Plan -- Market Study done earlier in the project (pre-7/2009) that considered the demographic make-up of Woodburn residents and to some extent the minority status of Woodburn businesses. The market study also considered the housing needs of potential residents with respect to income. The Downtown Plan was prepared with the needs of minority downtown business owners and probable housing needs in mind.

3A-09 Ashland, TSP -- The contract directs the consultant to identify locations in the city with "transportation-disadvantaged" populations. The contract directs the City of Ashland and consultant to develop, distribute, and collate a "travel survey" for the City of Ashland. The "travel survey" will be made available to every household and business in the City of Ashland.

Region 1 Planning

Tonquin Trail Master Plan Study: *To date the main focus of the Tonquin Trail master planning work has been to determine a preferred trail alignment to connect two rivers and 5 jurisdictions between those rivers. The studies we have conducted have related to understanding the land uses, physical constraints and property ownership along the trail segments being studied. We have contacted property owners and business owners along the trail segments being studied to determine their willingness to consider a trail crossing their property. Metro works with willing sellers only. The goal of the trail is to serve as much of the population in each of the cities as possible and to connect with destinations that are important to the various stakeholders in the community. We have published articles about the trail in community newspapers and newsletters, including the primary Latino newspaper in the project area*

Region 2 Planning



No general studies of minority persons, or their neighbors, or of minority persons' income levels, physical environment and travel patterns were undertaken in Region 2.

However, for the project identified in question 2 and the other ongoing projects initiated prior to July 1, 2009, Region 2 continues to conduct outreach activities with a focus on ensuring that all affected parties are afforded the opportunity to participate. Traditional methods of notification (newspapers, local government events calendars, etc.) are combined with web-based outreach and direct one-on-one and small group outreach. Region 2 provides translation services at public meetings and alternative language publications on request.

Two ongoing projects in particular have addressed minority populations extensively. The Chemawa Interchange Area Management Plan has had ongoing participation from representatives of the Chemawa Indian School and the Bureau of Indian Affairs whose property is adjacent to the Chemawa Interchange where certain physical changes and management activities are going to be recommended. The project team continues to work closely with representative of the Indian School to ensure their concerns are address throughout the process. Over the last year, School representatives have attended six project meetings and one open house and ODOT staff has held several direct conversations and made a project presentation directly to a joint Grande Ronde and Siletz tribal board meeting in February.

Region 2 is continuing with the development of an Environmental Impact Statement (EIS) for a new Salem Willamette River Crossing. CH2M Hill is preparing an environmental justice report, collecting data and evaluating impacts to low income and minority communities that could be directly and indirectly impact as the result of some of the options being considered. Technical reports detailing these issues have been delayed from the schedule anticipated last year, but should be available for state and federal review in the fall of 2010. A Spanish language translation of the project website is available and project staff has made two appearances on a Spanish language radio station in Dallas. We have also provided a Spanish language interpreter to provide assistance at project open houses. While available, interpreter services have not been required to date.

Region 3 Planning

Region 3 conducted one study specific to Title VI on OR-99 within the Medford urbanized area. Region 3 Planning has also used demographic information in identifying Environmental Justice populations to ensure they are taken into account in the planning process in other plans. The data from the OR-99 Title VI work is being utilized to develop outreach efforts and evaluate impacts from alternatives in the OR-99 Rogue Valley Highway Corridor Plan.



Environmental Justice data was developed for the environmental assessment at I-5, exit 24, which was used in identifying preferred alternatives affecting both the environmental assessment and the IAMP.

Region 4 Planning

None of these kinds of studies were conducted

Region 5 Planning

There were no studies on travel behavior regarding social class that were conducted this reporting period as a part of the work order contracts for I-82/US730 (Umatilla) IAMP.

4. Number of hearings held during the reporting period. What efforts were utilized to insure citizen participation in the hearings, particularly minorities and women? Were minorities and women, both individually and through their organizations, represented in the citizen participation effort? How many, and in what capacity?

TDD Planning Section

The Freight Planning Unit staffs the Oregon Freight Advisory Committee and the ConnectOregon III Project Selection Final Review Committee

- a. *While citizen comments are accepted during the Oregon Freight Advisory committee meetings; no comments were received during this period.*
- b. *No public comments were permitted during the ConnectOregon III Final Review Committee*

Neither of these bodies are the final decision makers on any items and only made recommendations to the OTC

Transportation and Growth Management

There were 26 public hearings, 56 workshops/open houses, 46 committee meetings and 5 other Public Involvement efforts which resulted during this reporting period from Transportation and Growth Management projects.

Public Hearings specialized inclusion efforts included:

1T-07 Canby, TSP -- Hearings for TSP adoption included newspaper and City webpage notices offering translation or other accommodation services. Hearings held in ADA accessible facility.

2G-07 Tangent, Integrated Land Use & Transportation Plan Update -- Notice of Public Hearing was given through all normal channels City of Tangent uses to advertise hearings on city-wide plans which included the local newspaper, the City's website, the project website and mailed/emailed to local agencies, stakeholder mailing list and other interested parties. Notice included the following statement: "If you have a disability and need accommodations (i.e., ASL interpretation, Braille material, etc.), please call 928-1020 48 hours in



advance of the meeting."

Public comment was accepted via email, mail, telephone and in person

2R-09 City of Woodburn, Downtown Plan -- Public notice. City staff direct contact with minority business owners in study area; availability of translator at hearing.

3D-07 Curry County, Harbor Hills Transportation Refinement Plan -- Notice in newspaper. Joint commission contained female, low income and Hispanic members

3E-07 RVMPO, Integrated Land Use & Transportation Plan -- Notice in newspaper. Planning Commission contains female, senior and Hispanic members

C2E3-07 Quick Response Gaston Cottonwood Corridor – Joint meeting of the City Council and School Board to adopt the results. City provided notice of Council meeting consistent with standard cit practice. TGM consultants produced a one-page flyer about the proposal and the meetings. The School District distributed it to all school children.

Workshops/Open Houses/Etc.:

1C-09 Gresham, Safe Routes to School Project Identification -- Gresham's public outreach for this grant was extensive. Working with a consultant and ODOT, Gresham conducted two initial outreach meetings to inform the public of the work effort. Prior to meetings, ODOT, Gresham & consultant developed an information sheet about the meetings & process. This sheet was distributed through the schools to all students at each of the six schools. The schools are: Davis Elementary School, Powell Valley Elementary School, West Gresham Elementary School, Dexter McCarty Middle School, Gordon Russell Middle School, and H.B. Lee Middle School. The sheet explained that the workshops would provide information on the SRTS process, & more specifically would serve to recruit participants for Safe Routes to School Action Plan Teams (APTs) to identify a list of projects to provide better bicycle and pedestrian access to schools. Through this wide-spread outreach the project reached all the different groups in the school including the disadvantaged populations attending the schools. In addition, Gresham staff contacted the Neighborhood Associations for neighborhoods that included any of the 6 schools & asked to have a neighborhood representative participate on the specific APT for the relevant schools.

1T-07 Canby TSP -- Hearings for TSP adoption included newspaper and City webpage notices offering translation or other accommodation services. Hearings held in ADA accessible facility. Child activity area provided



2A-07 Aumsville TSP & Interchange Area Management Plan -- Notice of meeting was given through all normal channels City of Tangent uses to advertise public meetings which include the City's website, the project website and mailed/emailed to local agencies, stakeholder mailing list and other interested parties. The meeting location was accessible for persons with disabilities. Interpreter for the hearing impaired, or for other accommodations could be made if request was given 48 hours prior to the meetings. Sign in form and comment forms were provided at public meetings. The comment forms could be dropped in a comment box or mailed to the City Administrator. Comments and questions could also be shared with the City Administrator.

2G-07 Tangent, Integrated Land Use & Transportation Plan Update -- Notice of meeting was given through all normal channels City of Tangent uses to advertise public meetings which include the City's website, the project website and mailed/emailed to local agencies, stakeholder mailing list and other interested parties. Notice included the following statement "If you have a disability and need accommodations (i.e., ASL interpretation, Braille material, etc.), please call 928-1020 48 hours in advance of the meeting." In addition to verbal comments and questions, attendees were also provided a two page comment form (questionnaire). This form consisted of a number of check boxes and short answer questions. The comment form could be turned in the night of the meeting or mailed, emailed or faxed to the City after the meeting. A sign up sheet was provided at the public workshop. Meeting summaries and materials were posted on the project website.

2H-05 Creswell IAMP/TSP Update -- Notice of meeting was given through all normal channels City of Creswell uses to advertise public meetings which include the City's website, and mailed/emailed to local agencies, stakeholder mailing list and other interested parties. In addition to verbal comments and questions, attendees were also provided a comment form that could be turned in the night of the meeting or mailed, emailed or faxed to the City after the meeting. A sign up sheet was provided at the joint work session. Joint work session was well-attended by residents of a mobile home park that is in the Project Study Area, which is presumably populated primarily by lower-income residents.

3C-09 RVTB, District Boundary Assessment Project -- RVTB Board contains members who are female and vision impaired

C1A6-07 Code Assistance Canby -- Interviews were conducted with a City selected group of stakeholders. 4 Community meetings were held in different parts to the city to attract people from different neighborhoods. Joint Planning Commission and City Council meeting was conducted as a part of the regular City Council meeting. No additional noticing was done.

C1B9-09 Code Assistance Carlton -- Targeted interviews with important community figures. A list of interviewees including public officials and prominent



business owners was compiled by the city. 1. Combined Planning Commission, City Council, and Carlton Business Association work session took place as part of a regularly scheduled City Council meeting. Members of the Planning Commission and Carlton Business Association were contacted but no additional noticing was done. 2. Week long Charette with both day and evening hours. An announcement was distributed through the Carlton Business Association and on the City's website. In addition notices went out in all public utility bills for the City of Carlton. Planning Commission work session took place as part of a regularly scheduled Planning Commission meeting and no additional noticing was done. Joint Planning Commission and Carlton Business Assoc work session took place as part of a regularly scheduled Planning Commission meeting and no additional noticing was done

C2A2-09 Quick Response LTD & Eugene West Eugene EmX Extension Design Options – Transit District took the lead on notice for both open houses. District employs public outreach specialists consistent with receiving federal transit money. Extensive efforts were made to inform riders and the general public. District sent emails to lists they maintain, included the events in their rider newsletter and on their website. Journalists were contacted and events were covered in television news and newspapers. Transit Board includes one person who uses a wheelchair who participated in both events. City provided notice consistent with standard city practice.

C2D3-07 Quick Response Canby Railroad Properties – City provided notice for public meetings consistent with standard city practice. Meetings held at the library and thus involved people who had not come specifically for the meeting, which turned out to be primarily women.

Committees:

1E-09 Hood River TSP -- Women and seniors are serving on both the TSPAC and the bike-pedestrian sub-committee. Safe routes to school and mobility needs of children are a focus area. Outreach included notices in local paper, City project webpage, flyers at downtown streetfair. Meeting space is ADA accessible and special accommodations are offered.

1F-09 Outer Powell Blvd Conceptual Design Plan -- Outer Powell Citizen Working Group (CWG) - Targeted invitations to groups representing minorities and inclusion of women representatives in and near the project area. List of groups invited to the CWG - East Portland Action Plan Representative, Lents Neighborhood Assoc./Lents Urban Renewal area Advisory Committee, Powellhurst-Gilbert Neighborhood Assoc, Pleasant Valley Neighborhood Assoc., Centennial Neighborhood Assoc., Midway Business Assoc., Business Owner on SE Powell Blvd, Place of Worship on SE Powell Blvd or within study area, Human Solutions, Community Health Partnership, Multnomah Co Community Wellness and Prevention Program, Opal (Organizing People Activating Leaders), Centennial School District, David Douglas HS, Portland



Commission on Disabilities, Pedestrian Representative, Portland Pedestrian Advisory Committee or otherwise, Bicycle Representative, Portland Bicycle Advisory Committee or otherwise, Freight Representative, Portland Freight Committee or otherwise.

1G-09 St. Helens, TSP Update -- *City recruited women for both the citizen and Technical Advisory committees*

1H-09 Tigard, Greenway Trail System Master Plan -- *City recruited women for the Stakeholder Advisory committee*

1J-09 Estacada Downtown & Riverside Area Plan -- *City formed advisory committee which included two representatives of senior housing project and Latino business owner, as well as women. Committee meeting announcements are on City project webpage*

1T-07 Canby TSP -- *Included seniors and women.*

2A-07 Aumsville TSP & Interchange Area Management Plan -- *Notice of meetings, agendas and meeting materials were emailed to TAC members. The TAC was composed of men and women of varied ages who were appointed by their various organizations.*

2F-09 City of Salem Bicycle/Pedestrian/ADA Plan -- *Members were selected with minority and ADA representation in mind and also includes several women.*

2G-07 Tangent Integrated Land Use & Transportation Plan Update -- *The TAC and CAC were composed of men and women of varied ages who were appointed by their various organizations. Notice of meeting was given through all normal channels City of Tangent uses to advertise public meetings which include the City's website, the project website and mailed/emailed to local agencies, stakeholder mailing list and other interested parties. Notice included the following statement: "If you have a disability and need accommodations (i.e., ASL interpretation, Braille material, etc.), please call 928-1020 48 hours in advance of the meeting." Meeting summaries and materials were posted on the project website.*

2R-09 City of Woodburn Downtown Plan -- *Members were selected with minority representation in mind*

3A-07 Bandon Refinement Plan -- *Citizens Advisory Committee Meeting Open to the public. Committee included a woman representing poverty population*

3C-09 RVTB - District Boundary Assessment Project -- *A notice in newspaper to appeal to all ethnicities and incomes. Letter sent to Hispanic community members. CAC contains members who are seniors and who represent disabled community.*



3E-07 RVMPO-Integrated Land Use & Transportation Plan -- CAC, TAC and Policy Committee contain female and senior members.

C1B6-07 Code Assistance Nyssa -- Meeting with the Community Resource Team (CRT). The CRT is a regularly meeting committee compiled by the city. It was not specifically compiled for this project.

C2A2-09 Quick Response LTD & Eugene West Eugene EmX Extension Design Options – Transit District & City jointly selected members for three local area advisory committees based on the residents of the neighborhoods and business owners. Several women were appointed to the committees. Lane County operates a public housing apartment building in the project area and sent a representative to the advisory committee meetings.

C2D3-07 Quick Response Canby Railroad Properties -- City identified "key participants" to meet with consultant and staff to participate in Technical Design Workshop. Selection was based on business ownership near the project site and prior activity in community affairs. Several women participated in the interviews and meetings.

C2E4-09 Quick Response Newport South Beach Peninsula – City identified stakeholders for interviews with consultant based on knowledge and involvement with the project area. Several women were interviewed.

Other Title VI Public Involvement Efforts:

1G-09 St. Helens, TSP Update -- Outreach to these populations will be addressed by using different methods of communication as described above and by specifically notifying agencies that work with these populations: Senior Center, DHS, Columbia Health District-Public Health Authority, and community Action Team.

1T-07 Canby TSP -- Briefings to property owners included direct outreach including to seniors and women

2R-09 City of Woodburn Downtown Plan -- Direct contacts with minority businesses in study area, City staff personally contacted many minority business owners in the study area to explain project and obtain their views.

C2E3-07 Quick Response Gaston Cottonwood Corridor -- School District distributed flyers to all school children.

Region 1 Planning



Tonquin Trail Master Plan Study: We have held two rounds of public involvement for the project to date, one in December 2009 (3 open house, one in each of the three cities the trail will connect) and more recently in August and September of 2010. For each round of public involvement 15,000 residents living within a ¼ mile of a trail study segment received a postcard announcing the public events and how to fill out a survey to weigh in on the trail choices. The summer 2010 public involvement was planned to piggy back with other community events that were already planned, knowing that we'd be able to have contact with a wide cross-section of the community, including the Hispanic population. We also published information about one of the events in the Hispanic newspaper, and had a very good turn out as a result. Approximately 1,500 people attended the opening of a newly built section of the trail, with large showing from the Hispanic community.

I-205 Multi-Use Path (MUP): I-205 MUP lighting installed from Lents to Clackamas Town Center - \$2.5m (not really a planning function), but Rain had some involvement in getting the funding and it does traverse economically and racially diverse areas.

* 2 I-205 MUP bike rides thru socioeconomic ally & racially diverse neighborhoods:

1) Equity Ride to highlight econ, environmental, racial & geog equity issues. 70

riders, 35-40% people of color.

2) Pedalpalooza, 7-miles, highlight tree plantings

* 2 I-205 MUP Panel presentations:

1) Community Cycling Center Bikes for All event and

2) Coalition for Livable Future Livability Summit.

* 12 tree-planting sessions were held.

Sunrise Project Final EIS and ROD: Public meetings held/advertised to discuss elements of the Sunrise Project FEIS:

· Interchange Area Management Plan (IAMP) Open Houses:

11/09/09 – Fire District Training Center, 15990 SE 130th Ave., Clackamas, OR

There were 43 attendees, 9 of whom were women.

11/10/09 – Clackamas Banquet & Catering Center, 15815 SE 82nd Ave., Clackamas OR

There were 37 attendees, 9 of whom were women.

· Jobs & Transportation Act (JTA) Sunrise Project Phase 1 Open House:

6/22/10 - Clackamas Banquet & Catering Center, 15815 SE 82nd Ave., Clackamas, OR

we had 123 people at the public meeting – approximately 34 of these were women.

We don't have a method to measure if minorities were represented at the meeting. We

did have one native Korean speaker, for whom we provided an on-site translator.



Efforts utilized to insure citizen participation were:

- Direct mailer to nearly 10,000 people from a database of interested parties*
- Email invitation to 900 people from a distribution list of interested parties*
- Coordination with partners (Clackamas County, North Clackamas Chamber of Commerce, City Councils, etc.) to distribute the invitation to other interested parties*

Regularly scheduled local jurisdiction/project meetings at which Sunrise Project FEIS was on agenda, and open to the public:

- North Clackamas Community Planning Organization (CPO):*
9/08/09 – 16358 SE Hearthwood Drive, Clackamas, OR
11/10/09 - Clackamas Banquet & Catering Center, 15815 SE 82nd Ave., Clackamas, OR

Canby TSP Plan:

Canby Transportation System Plan (TGM) held 4 public meetings at the Canby Adult Center which serves seniors and is ADA accessible. Consultants provided area for children for the two consultant-facilitated meetings; held 2 public meetings at the ADA accessible Methodist Church that also has a toy area; held one public meeting at Canby ADA accessible City Hall specifically for Downtown Business folks.

English and Spanish language meeting fliers posted on the City’s Website; at Canby Public Library, on Cutsforth Thriftway community bulletin board; in City’s public information kiosk; at City Hall; at City Planning Department public info counter, and published full-sized, colored notice in the Canby Herald for each public meeting. Fliers were handed out to individual businesses for the special Downtown meeting. There was a Spanish translator available for all public meetings.

HCRH State Trail Plan:

Quatrefoil is WBE firm. 2 public meetings, 1 in Hood River & 1 in Portland. Peak summer weekend outreach done at Mark O Hatfield West Trailhead in Hood River. Info display at Edgefield concert. Open house ads in e-newsletter, local papers, & Bike Portland website.

Region 2 Planning

A variety of workshops and other outreach activities were conducted during this period. Numerous Stakeholder and Technical advisory committee meetings were also held. The Stakeholder and Technical Committees are diversely composed of men and women of ages who are appointed by their various organizations. Citizens of all races and genders were invited to attend through stakeholder internet notifications and our typical noticing procedures: local newspapers, newsletters, and through notices provided through local jurisdiction communications tools, such as local bulletins boards and council meetings.



Area 1

- *During the reporting period, the Miles Crossing/Jeffers Garden Transportation Plan (MC/JG Plan) was completed and adopted by Clatsop County. The adoption process was conducted by Clatsop County and was advertised on the project’s website and in the local newspaper. In addition to the traditional notifications methods for the MC/JG Plan development, due to the rural low income characteristics of the community, effort was taken to notify area residents throughout the process through more direct means. The project team mailed over 500 flyers to business owners and residences in the project area; provided over 400 flyers to the local elementary school for students to take home; and hand delivered information to properties known to be potentially affected by concepts being considered. The adoption hearings were well attended and the TSP refinement plan was adopted with strong support and no stated opposition.*

- *The team for Seaside’s Transportation Plan notified all community residents and business owners through an interested parties list and to community groups via the City of Seaside’s distribution list. Outreach activities included four Planning Commission/City Council meetings, one community Open House Workshop, one TSP final draft Summit, and eight Stakeholder and Technical Advisory Committee meetings. Translation services were available at the Open House and Summit.*

Area 3

- *Six Stakeholder and Technical Advisory meetings, one public open house workshop, and one large constituent group presentation (to tribal groups with an interest in the Chemawa Indian School) were conducted for the Chemawa Interchange Area Management Plan. A project newsletter describing project recommendations and announcing the upcoming project Open House workshop was direct mailed to over 8000 addresses in and around the broad project study area in advance of the Open House.*

- *Public hearings were held at the Polk County Planning Commission and Board of Commissioners to review and approve the OR 22 – Derry Overcrossing to Doaks Ferry Road Expressway Management Plan as part of the adoption process for the County’s updated Transportation System Plan. Notice was given through all normal channels Polk County uses to advertise hearings on county-wide plans which include local newspapers and the County’s web site. This notification covered all persons and entities identified on the project specific list of stakeholders and interested parties.*



- *The Oregon 99W (Rickreall to Monmouth) Facility Plan began before the fiscal year and was supported by a variety of public involvement and outreach activities. In addition to six Project Management/Stakeholder meetings, four public open houses were held along this rural corridor: two in Monmouth; one in Rickreall; and one in the nearby City of Dallas. Attendance in each of these meetings was solicited through direct mailings that used Polk County’s interested parties’ mailing list, the contact list maintained by the Rickreall area’s Citizen’s Advisory Committee, Monmouth’s interested parties’ mailing list, and an assessor’s address search in the project area. Notifications were also published in the area newspapers. All mailings and notifications were published offering bilingual services and disability assistance for prospective attendees.*

Area 4

- *No public hearings or open houses funded through the SPR program were held.*

Area 5

- *Two projects in process (Beltline Facility Plan and OR126 Expressway Management Plan) during this reporting period held a total of five (5) open houses/workshops, four (4) Steering Committee Meetings, and five (5) Stakeholder Committee Meetings. Opportunities for public testimony are provided at each meeting. Interpreter services were advertised as available for all of the events; however, no services were requested for any event. Efforts are listed below:*
 - *Open Houses: Each open house was notified in the local newspaper and press releases were issued. The project team mailed out over 1,000 mailings for the Beltline Facility Plan open houses and mailed a notice to property owners and site addresses with ¼ mile around each interchange for the OR126 Expressway Management Plan. The team also notified community residents and business owners through an interested parties list developed for each project.*
 - *Stakeholder Committee Meetings – Email is distributed to interested parties list. Stakeholder Meetings are advertised in local paper and public testimony is provided at each meeting.*
 - *Steering Committee Meetings – Each meeting is open to the public to provide public testimony to the represented elected official.*
 - *Website: As part of both projects, all open house, project materials, comment forms, and stakeholder meeting materials are made available on the project website after each event.*



Websites are updated every month to include latest project progress.

- *News Broadcast – Open House events and stakeholder meetings have been advertised by the local media broadcasters for both projects.*

- *The five new transportation system or facility plan projects in Lane County (the Springfield Transportation System Plan, Eugene Transportation System Plan, Coburg Transportation System Plan, Junction City Transportation System Plan, and Oregon 126 Business Route Safety Study) all began late in the fiscal year and are currently in the process of developing their respective public involvement and outreach programs. Each of these processes will include an extensive process for soliciting input from traditional open house events to web-based participation and direct outreach to those who might otherwise be under-represented.*

- *While not a system or facility plan effort, the Central Lane MPO Planning Project Coordination Assistance (which began in 2009 and was recently amended and extended to provide continuing support to the local jurisdictions developing the myriad of planning projects in Lane County) has a significant public involvement and outreach program component. In addition to supporting the MPOs effort to foster coordination and consistency between approximately one dozen various related planning efforts that are progressing simultaneously (including the new projects listed above and updates to the Regional Transportation System Plan, Regional Transportation Plan, and the Lane Transit District’s first ever long-range capital and operational plan), the MPO is developing a common website through which each individual effort will be linked and including a regional “smart map” that the public can use to provide input about any or all of the area’s planning efforts. A prototype of this effort was recently developed and deployed in conjunction with the ongoing Eugene Bicycle and Pedestrian Plan and in a period of about 6 weeks nearly 700 comments were posted. The MPO will also be taking the lead in coordinating outreach to and soliciting input from under-represented groups and citizens (elderly, single-mothers, economically disadvantaged, minorities, etc.) to ensure that (1) their issues and concerns are heard and provided to the various projects underway and (2) they are not overwhelmed or excluded from participation due to time or other constraints and the sheer number and complexity of the various projects. This effort will key on identifying key community groups or individuals that can provide direct access to these various constituencies to facilitate staff contacting them personally.*

Region 3 Planning



Region 3 Planning does not hold hearings, but does participate in hearings conducted by local jurisdictions. Hearings occur when a local elected or appointed body acts in a legislative or quasi-judicial capacity. Region 3 Planning encourages interested citizens and members of the Citizens Advisory Committees to attend hearings in order to demonstrate local support for proposed plans and related measures.

Region 3 Planning conducts meetings with local elected and appointed officials, local staff, citizens, business and property owners, and special interest representatives regarding planning efforts in Southwest Oregon. Generally, Region 3 Planning performs the following outreach activities for each plan:

- *Citizens Advisory Committee meetings – Citizen Advisory Committees are established in coordination with the local jurisdiction to review and comment on planning work, and meet periodically throughout the planning process. Citizen Advisory Committees always include women and have diverse representation.*
- *Public workshops/open houses provide the public at large with opportunities to review and comment on planning work. Advertising and outreach is coordinated with the local jurisdiction.*
- *Participation with and presentations to the Rogue Valley Area Commission on Transportation (RVACT) and South West Area Commission on Transportation (SWACT), advisory bodies established by the Oregon Transportation Commission to expand opportunities for local citizen involvement.*
- *Responses to Requests for Information – Region 3 planners make themselves available to the public at large to respond to individual and collective questions regarding planning and the potential impacts of plans and related policies.*
- *Web Sites – R3 maintains a website on which project information is posted and available to the public.*
- *STIP public outreach*

Region 3 Planning has engaged in the following outreach activities during this reporting period (this list is not exhaustive):

- *RVACT participation – six meetings*
- *SWACT participation – six meetings*
- *IAMP for interchange 24 – plan completed and adoption pending*
 - *Three meetings with City of Phoenix City Council*
 - *Two meetings with City of Phoenix Planning Commission*
- *IAMP 61*
 - *Two Public Workshops*
 - *CAC meetings*
- *IAMP for interchange 35*
 - *CAC meetings*
 - *Open Houses*
 - *Meetings with City of Central Point Planning Commission*



- *Coos County Transportation System Plan*
 - *CAC meetings*
 - *3 Public Workshops*
- *I-5 Corridor Plan*
 - *Presentations to the Ashland, Talent, Phoenix, Medford, and Central Point City Councils.*
 - *Open House*
- *IAMP 129*
 - *CAC meetings*
- *IAMP 14/19*
 - *CAC meetings*
 - *Public Workshop*
 - *City Transportation Commission*
 - *City Planning Commission*
- *Ashland TSP*
 - *CAC meetings*
 - *Planning Commission*
 - *City Council*
 - *Open House*
- *STIP*
 - *ACT meetings*
 - *Public Meetings*

Public meetings were advertised in the local newspaper, on the city's and ODOT's website, in news releases to local radio stations, flyers, and in some cases city newsletters. There were also citizen advisory committees that included women for all projects. We do not have a count for minorities because we did not specifically advertise for minorities in selection and we did not ask if anyone considered themselves a minority.

Region 4 Planning

Two public workshops, seven local public hearings and one hearing before the Oregon Transportation Commission were held, all in conjunction with the I-84 Chenoweth IAMP process. All public meetings, workshops and hearing were advertised through usual City, County and ODOT channels: newspaper announcements and articles, City website, ODOT website, announcements at City Hall, County announcement via email. Project team occasionally emailed or called individuals who expressed a special interest in the project. It is unknown if any of them identify as minorities. At least one of them was a woman. Minorities and women both individually and through their organizations represented in the citizen participation, residents and business owners of The Dalles who participated in the public process appeared to have a similar mix of minorities and women as the general population in this region.



Region 5 Planning

To date Region 5 has hosted a kick-off meeting, held a public open house, lead a public design workshop and conducted stakeholder and advisory committee meetings for the I-82/US730 (Umatilla) IAMP.

Region 5 has also participated in additional public workshops and technical advisory and stakeholder advisory meetings for the US 395 IAMP that is still under development from the last reporting period.

Women and minorities were represented in these participation efforts. An undetermined amount of women and minorities participated as community members in the presentation and input sessions.



Project Selection

1. Were any consultant contracts awarded during the last year and what efforts were made to utilize women and minority owned firms?

There were 434 consultant contract transactions in the past year involving 72 different consulting firms for a total value of \$58,703,131. This number reflects the award of contracts and any amendments made to awarded contracts. Amendment actions reflect a variety of reasons: adding time to the contract, adding funds, adding work, or updating deliverables in the original contract.

2. How are Title VI considerations addressed through stakeholder involvement mechanisms?

Regions work with communication division for public meeting notices. Standard notification of accommodation issues are a part of these communications. For instance – meetings are held at various locations to help with transportation issues for attendees and accommodations made for those that request them.

3. Describe how minorities and low-income populations were provided opportunities to be involved in project selection processes.

The Regions hold multiple public meetings and open house style meetings during the STIP update to allow public input. Communications division provides the outreach including all special notices as necessary to reach a broad spectrum of stakeholders. Outreach information is available in multiple languages, and interpreters available should they be requested. Notice of workshops and hearings are made in the official notices sections of newspapers, general media news releases, during interviews, and during topical discussions on radio and television programs. Presentations are made, and comments heard, before the Area Commissioners on Transportation, city councils and board of commissioners in public meetings. Presentations are also made in front of a variety of community groups including citywide goal setting sessions.

4. Describe what project selection decisions, if any, were affected by Title VI or Environmental Justice issues.

None, alternatives for specific projects must all address these issues in Compliance with Federal Regulations.



Design

- 1. How many consultant firms have design contracts? How many contracts are currently held by minority firms and women owned firms?

72 consulting firms have design contracts. Of these, 3 firms are certified DBEs, 13 are certified ESBs, and 2 are certified WBE's. Five of the 13 ESBs are also certified WBEs but were counted only as ESB. Two certified DBEs are also certified WBEs. One other certified DBE is also a certified as an MBE and ESB.

- 2. What efforts were made to increase minority and female participation in obtaining consultant contracts?

ODOT continues to award consultant contracts through its Small Contracting Program for Services. In the past year, 16 contracts have been awarded through this program for a total value of \$1,154,836.

The ODOT Procurement Office has participated in Small Business Information and Certification Workshops in collaboration with the Office of Civil Rights and external partner, the National Association of Minority Contractors of Oregon (NAMCO). These events held as follows:

Construction Contracts Unit presented How to do Business with ODOT at the Region 1 building in Portland on November 6, 2009, January 7, 2010, April 12, 2010, July 7, 2010 and October 18, 2010. In addition, this presentation was given in Salem at the ODOT Headquarters on January 13, 2010.

The Construction Contracts Unit presented DBE goal information for the I-84: Sandy River-Jordan Road Project - Bundle 210 at the Oregon Association of Minority Entrepreneurs on January 8, 2010.

The Construction Contracts Unit presented project information at the National Utility Contractor's Association of Oregon and SW Washington for their Engineer's Night event on February 16, 2010.

In addition, the ODOT Procurement Office participated in vendor conferences as it does every year. This includes the Reverse Vendor Trade Show where businesses have the opportunity to come in and market their services or products to government entities, and the Governor's Marketplace which targets the certified business community to learn what contracting opportunities exist and how to do business with government agencies.

- 3. Were any public hearings held during the design phase of any highway? Did minorities (individuals or organizations) participate in the hearings? If no, why not? Provide a



summary of concerns and issues raised, if any. Describe actions taken by the Title VI Officer or Coordinator to facilitate and / or address the concerns raised.

Public hearings were held during the design phase of highway projects. Notices for hearings were provided to all segments of the communities that were impacted by these projects. Data on minority participation was not collected and no concerns or issues were raised that required action by the Title VI Officer.

4. Were there any complaints filed in the Design Program area? If so, provide summary, with basis, status, actions proposed and taken.

No complaints were received during the reporting period.



Environmental

1. As a result of the choice of highway location, or the procedure used for arriving at the choice, were any complaints filed? If so, how many? Summarize each complaint and explain status, with actions proposed and taken.

Region 1: Report unavailable - No response to request for information.

Region 2: Currently in the process of preparing the NEPA documentation on two class 3/EA projects; No complaints filed (however, we are still early in the process).

Salem River Crossing EIS - No. No final choice for bridge location has been determined; this will be discussed during the comment collection period after the Draft Environmental Impact Statement is published.

Newberg Dundee Bypass EIS - No complaints were filed.

Region 3: No

Region 4: None in Region 4

Region 5: Report unavailable - No response to request for information.

2. During the reporting period, how many pre-draft Environmental Impact Statements (EIS) were reviewed? Summarize comments provided on EIS's where minority or low income populations, etc. were adversely impacted.

Region 1: Report unavailable - No response to request for information.

Region 2: Salem River Crossing EIS - None. The pre-draft EIS is currently being reviewed by ODOT and City staff (October 2010).

Newberg Dundee Bypass EIS - One Draft EIS was reviewed. ODOT has determined that there were no minority or low income populations that will be adversely impacted by this project. However, we did receive one public comment that states that they feel we are adversely impacting a low income population in south Newberg. Response to this comment will be provided in the FEIS.

Region 3: None.

Region 4: None in Region 4.

Region 5: Report unavailable - No response to request for information.



3. How many public hearings were held during the reporting period concerning location of a project? How were the hearings advertised, and was it adequate to provide notification to minorities and low income communities?

Region 1: Report unavailable - No response to request for information.

Region 2: One public meeting (carries different meaning and requirements than hearing). We advertized in Spanish language media (newspaper); ? What is the measure for adequate notification to minorities and low income communities?

Salem River Crossing EIS - None. The DEIS has not been published, so no public hearing has been held yet.

Newberg Dundee Bypass EIS - A public hearing was held on June 29, 2010 for the DEIS. Primarily the hearing was advertised via several area newspapers.

Region 3: One public hearing for the Weaver Road EA in Douglas County

Region 4: No public hearings, but multiple public meetings were held with smaller focused Groups on the Bend North Corridor Project. Two of those meetings targeted EJ communities, and a spanish translator was provided. Meeting notices were provided in English and Spanish.

Region 5: Report unavailable - No response to request for information.

4. How where minority and low income community representatives identified and encouraged to become involved in the location and environmental phase?

Region 1: Report unavailable - No response to request for information.

Region 2: Attempts to identify communities included the use of available Census, local information, and focused/active solicitation (of local public officials and potentially affected parties) through direct mailings and phone calls.

Salem River Crossing EIS - Low income and minority organizations and institutions were contacted directly and interviewed for background information that was included in the Environmental Justice Technical Report, which was prepared during the reporting period.

Newberg Dundee Bypass EIS - Minority and low income communities were identified earlier in the NEPA process, prior to this reporting period. These communities were encouraged to be involved through newsletters mailed directly to landowners within the project area and through public notice and advertisements in the local newspapers - including the local spanish newspaper (EL Hispanic News) to invite them to the Public Hearing and to provide comments on the DEIS.



Region 3: A small low-income community was present in the project area and a resident was solicited for, and served on, our citizens advisory body for the Weaver Road EA. The community was a very small trailer park, and project staff conducted door to door outreach within the park.

Region 4: US 97 Bend North Corridor: EJ communities were identified by on site surveys and invited to participate. One newsletter was sent out to them specifically and on meeting was held to provide project information within the community setting. Meeting notices were sent out in Spanish and English.

Direct meetings on site with EJ populations. Spanish translations of work products and media releases.

Region 5: Report unavailable - No response to request for information.

5. During the reporting period, was there a need to utilize bilingual advertisements, announcements, notices, etc.?

Region 1: Report unavailable - No response to request for information.

Region 2: Yes, our notices included advertizing in Spanish.

Salem River Crossing EIS - Yes. During the alternatives development phase, all printed materials provided contact information in Spanish. Some targeted mailings and handouts were fully translated into Spanish and posted on the project website.

Newberg Dundee Bypass EIS - Yes there was a need. Advertisement and public notice of the public hearing for the DEIS was published in the local area spanish newspaper. The executive summary of the DEIS was also translated into spanish and provided at the public hearing and is posted on the project website. ODOT also provided spanish interpreters at the public hearing so that spanish speaking participants could provide comments and ask questions of the staff.

Region 3: The exectutive summary for the Weaver Road EA was availble in Spanish upon request. No minority populations were identified during census data review, open houses, and windshield surveys that occurred during project development.

Region 4: Yes. US 97 Bend North Corridor sent out 2 announcemetns and project information in Spanish and English. Information on the project Website is bilingual.



One bilingual project information paper was sent to all residents for the OR 140: Ritter Road to Deer Run Road project, and this information was also posted at the local tribal centers.

Region 5: Report unavailable - No response to request for information.



Right of Way

1. During the reporting period, did the State receive any civil rights complaints in the following Right-of-Way functional areas:

- a. Appraisals No
- b. Negotiations No
- c. Relocation Assistance and Payments No
- d. Property Management No

2. How many fee appraisers were utilized during the reporting period? How many were minority and women?

23 fee appraisers utilized of which 3 were either minority or women.

If the representation of minority and female appraisers is low, what efforts were made by the Title VI Officer to increase their representation?

When required, appraisal contracts are advertised using the ORPIN System through DAS to encourage women and minority participation. Information for inclusion on Right of Way's approved appraiser list is available on the Right of Way web page.

3. How many negotiations were made during the reporting period?

301

Does the negotiators log reflect any disparity in the conduct of the negotiations between minorities and non-minorities?

No

4. Where there any concerns raised by minorities or women concerning their options in the negotiation phase? Explain.

None were brought to our attention.

Number of relocations during the reporting period?	20
Minority relocations?	0
Female relocations?	2
Elderly	3
Handicap?	0



- 5. Were any concerns raised by minorities or women on replacement housing, referral housing, etc.?

No concerns were raised.



Research

- 2. How many research projects are currently underway?

The Research Group had forty State Planning and Research (SPR) projects underway during the report period. Thirty-nine of these were contracted with universities, research organizations, or consultants. One was researched within ODOT.

- 3. Provide a list of universities and/or consultants currently conducting research projects.

Oregon State University (27 projects), Portland State University (5 projects), Shared between Oregon State University and Portland State University (1 project), Oregon Department of Wildlife and Fisheries (1 project), Department of Geology and Mineral Industries (1 project), Washington State University (1 project), University of Washington (1 project), Montana State University (1 project) Iowa State University (1 project) and Oregon Department of Transportation (1 project).

- 4. Summarize actions taken to encourage universities to utilize minority and female students to participate on highway research projects.

Contract agreements require the contracting party to comply with Federal and state civil rights statutes, rules and regulations.

There were 15 female faculty and Project Investigators, 3 male minority Project Investigators, and no female minority Project Investigators. There were also 21 female students, 12 male minority students, and 5 female minority students. (See attached for details.)

- 5. Summarize actions taken to increase minority-owned consultants in obtaining research projects.

No private consultants were utilized on federally funded research projects during the current fiscal year.

- 6. List any significant actions planned for the ensuing year.

The Research Group maintains a quarterly tracking system for minority and female student involvement in projects contracted with universities. Future contracts will be reviewed and revised as needed to promote the use of minority and female participants on research projects. In addition, the Research Section Manager sits on governing bodies of three University Transportation Centers in the region. Title VI goals and compliance will be raised as a discussion issue with these partner organizations throughout the year.



2009-2010 Information for Title VI Report					
Number	Contact	Title	Women or Minorities	PI	Location
SPR 622	Soltesz	Abrasion-Resistant Concrete Mix Designs for Bridge Decks Phase 1	One female student, One Female Minority student	Scholz	OSU
SPR 638	Mabey	Wildlife Movement Study	Two female PIs	Jackson	ODFW
SPR 642	Shippen	Mechanistic Pavement Design Input Parameters	One female student	Scholz	OSU
SPR 650	Shippen	Statistica Analysis of QC/QA Data on Construction Projects	none	Sillars	OSU
SPR 651	Ross	Evaluating the Effectiveness of the Safety Improvement Program	One female PI, one female student	Monserre/Dixon	PSU/OSU
SPR 653	Soltesz	Determining Localized Anode Condition to Maintain Effective Corrosion Protection	none	Koretsky/Westall	OSU
SPR 654	Mabey	Waterway Enhancement Construction Methods	One male minority PI, one male minority student	Sillars	OSU
SPR 658	Ross	Institutional Barriers Delaying Incident Clearance	One female PI, one male minority student	Dixon	OSU
SPR 660	Joerger	Safety and Field Operations of High Speed Signalized Intersections	One female PI	Dixon	OSU
SPR 661	Soltesz	Flexural Steel/Anchorage Performance at Diagonal Crack Locations	One female student	Higgins	OSU
SPR 662	Pietz	Multi-Modal Investment Criteria & Freight's Economic Important	One female PI, one female student, one male minority student	McMullen	OSU
SPR 663	Mabey	Copper Toxicity and ESA Listed Salmon	none	Nason	OSU
SPR 664	Pietz	Freight Performance Measures: Approach Analysis	One female PI, one female student, one male minority student, one female minority student	McMullen	OSU
SPR 665	Joerger	Access Management Best Practices Manual	One female PI	Dixon	OSU



SPR 666	Shippen	Density Verification for Hot Mixed Asphalt Concrete Pavement	One male minority student	Scholz	OSU
SPR 667	Joerger	Assessment of Statewide Intersection Safety Performance	One female student	Monsere	PSU
SPR 668	Lazarus	Fuel Factors	One male minority PI	Casavant/Jessup	WSU
SPR 669	Lazarus	Work Zone Design and Operations Enhancements	One female student	Gambatese	OSU
SPR 672	Shippen	Mechanistic Pavement Design Instrumentation	One female student	Scholz	OSU
SPR 680	Shippen	Oregon Open-Graded Wearing Course Update	One female student, One female minority student	Muench	UW
SPR 681	Ross	Evaluation of Wet Weather Reflectivity	One female PI	Van Schalkwyk	OSU
SPR 682	Soltesz	Replacing Thermal Sprayed Zinc Anodes	One Male minority PI	Xianming Shi	MSU
SPR 683	Soltesz	Calibration of LRFD Resistance Factor for the Wave Equation Analysis Program	Two female students, one male minority student	Smith	PSU
SPR 684	Joerger	Calibrating the Future HSM Predictive Methods for Oregon	One female PI, one female student, one male minority student	Dixon	OSU
SPR 685	Ross	Safety Evaluation of Curve Warning Advisory Speed Signs	One female PI, one male minority student	Dixon	OSU
SPR 686	Mabey	Health Risk Exposure to Naturally Occurring Hazardous Minerals During Construction Activity	none	Niewendorp	DOGAMI
SPR 687	Pietz	Financing Mechanisms for Capacity Improvements of Interchanges	One female student	Strathman	PSU
SPR 688	Ross	Improving Commercial Vehicle Safety in Oregon	One female PI	Strathman	PSU
SPR 710	Mabey	Analysis and Design of Pipe Ramming Installations	One male minority student	Stuedlein	OSU
SPR 711	Soltesz	Internal Curing of Concrete Bridge Decks	One female student	Ideker	OSU
SPR 712	Soltesz	Near-Surface Mounted CFRPs for Shear Strengthening	One female student	Higgins	OSU



SPR 713	Shippen	Asphalt Binder Grade selection for HMAC with RAP/RAS	One minority male student	Scholz	OSU
SPR 714	Ross	Feasibility of Using Safety Edge in Oregon	One female PI	Dixon	OSU
SPR 715	Lazarus	Effect of Fluvial Performance Standard on Maintenance	One female student	Pyles	OSU
SPR 716	Pietz	Supplemental Performance Measures for OHP Mobility Standards	One female student, One male minority student	Giebe/Strathman	PSU
SPR 717	Pietz	Relating TSMO Strategies to Policy Goals	One male minority student, one female minority student	Hurwitz	OSU
SPR 718	Lazarus	Mechanistic Design Guide Calibration for Pavement Rehabilitation	One female student	Williams	ISU (Iowa)
SPR 719	Mabey	Climate Change Impace on Coastal River Estuaries in Oregon	none	Mabey	ODOT
SPR 720	Joerger	Quantifying Safety Performance of Driveways on State Highways	One female PI, one female student	Van Schalkwyk	OSU
SPR 721	Ross	Evaluation of Alternative Pedestrian Traffic Control Devices	One female PI, one female student, one female minority student	Hunter-Zaworski	OSU
Summary	OSU: 622, 642, 650, 653, 654, 658, 660, 661, 662, 663, 664, 665, 666, 669, 672, 681, 684, 685, 710, 711, 712, 713, 714, 715, 717, 720, 721 27 projects	PSU/OSU: 651 1 project Iowa State: 718 1 project	PSU: 667, 683, 687, 688, 716 5 projects ODFW: 638 1 project	DOGAMI: 686 1 project WSU: 668 1 Project UW: 680 1 project MSU: 682 1 project	ODOT: 719 1 project
		1 projects are with ODOT			
		37 projects with Universities			
		1 with DOGAMI			
		1 ODFW			
		40 Total Projects			



Construction

1. What was the level of DBE participation on construction contracts? Female and minority-owned firms?

*DBE Attainment – July 1, 2009 through June 30, 2010
Highway Construction Only
(Based on Federal-aid share amounts)*

DBE Classification	Committed DBE Subcontract		Awarded Prime Contracts		Participation Percentage
	No.	Amounts	No.	Amounts	
<i>MBE (male only)</i>	71	\$14,590,723	7	\$21,441,365	9.8%
<i>M/WBE (minority women)</i>	35	\$3,012,295	0	0	0.8%
<i>W/WBE (non-minority women)</i>	150	\$16,526,745	0	0	4.5%
<i>Totals</i>	256	\$34,129,763	7	\$21,441,365	15.1%

2. Summarize efforts made by the DBE staff to encourage the use of minority and women-owned firms on state funded projects.

ODOT sets condition-of-contract-award goals for DBE participation where appropriate within the limits of the waiver granted by the USDOT in September 2009, in addition to the overall race-neutral annual goal. Projects are also evaluated for potential inclusion of Minority- and women-owned businesses, and the participation level is expressed as an aspirational target that is a percentage of the total project. ODOT funds various supportive services and training opportunities to encourage growth of DBE, MBE and WBE firms, and attends outreach events, marketplaces and tradeshow to provide information to businesses.

3. Summarize efforts made by DBE staff to encourage the use of minority and women-owned firms on state funded projects.

Refer to #2 above.



4. During the review period, were any procedures reviewed to assure subcontract agreements, first and second tier, and material supply and equipment lease agreement contained Title VI contract provisions?

ODOT data is collected, managed, and reviewed to monitor compliance to DBE procedures, including Procurement, contract compliance and project oversight processes. Data is accessed in ODOT OCR's proprietary Civil Rights Compliance Tracking (CRCT) data base which generates compliance reports and statistics to assist in the programmatic reviews.

1. List any significant accomplishments, and/or action items for the ensuing year.

ODOT expects to continue past supportive services and provide new services as identified through surveys and stakeholder input.



Education & Training

1. During the reporting period what efforts were made to encourage participation by minorities and women in National Highway Institute's (NHI) education and training programs?

Outside of the courses being listed on the NHI site as open for enrollment, Oregon advertised to the targeted audience for the training. Internally, that was to the planning, drafting, designing, engineering, environmental or construction employees. Externally, it was advertised to Local Government personnel, American Council of Engineering Companies of Oregon and Oregon Advocates Office for Minority, Women and Emerging Small Businesses. A Consultant Subscription e-mail list was used to notify people of general policy changes and training opportunities. This list includes the e-mails for small businesses that ODOT has contracts with. Many of these businesses are owned by minorities and women. As people contact Training about being placed on a notification list for scheduled event information, their e-mail information is placed on the Consultant Subscription e-mail list.

2. List the types of NHI sponsored or co-sponsored programs.

Drilled Shaft Foundation Inspection; Driven Pile Foundations - Design and Construction; Safety Inspection of In-Service Bridges; Bridge Inspection Refresher Training; Highway Traffic Noise; Geotechnical Instrumentation; Principles of Writing Highway Construction Specifications; Soil Slope and Embankment Design and Construction; Stream Stability and Scour at Highway Bridges

3. How many State participants?

Out of 351 participants in 9 NHI courses (total of 18 classes), 192 were state employees (54.7%).

4. How many minority and woman?

Total 78 (35%) ODOT: 40; Others: 28

5. Identify the agency's staff personnel responsible for training by title, ethnicity and gender.

<u>Job Title</u>	<u>Ethnicity</u>	<u>Gender</u>
Employment, Training & Diversity Manager	White	Male
Training Manager	White	Female
Senior Training & Development Consultant	White	Female
Senior Training & Development Consultant	White	Female



Training Consultant

White

Female

6. Were there any civil rights complaints filed concerning training and educational opportunities?

There were no known complaints.



Motor Carrier Safety Program

1. How many contracts and inter-agency agreements are currently in effect involving MCSAP funds?

Motor Carrier Safety Assistance Program (MCSAP) contracts and agreements are based on Federal fiscal years. From October 1, 2009, through September 30, 2010, the Motor Carrier Transportation Division had 14 interagency agreements totaling \$494,100:

- *Truck inspection agreement, Clackamas County Sheriff \$200,000*
- *Truck inspection agreement, Salem Police Department \$90,000*
- *Truck inspection agreement, Marion County Sheriff \$80,000*
- *Truck inspection agreement, Aurora Police Department \$30,000*
- *Truck inspection agreement, Stanfield Police Department \$17,500*
- *Truck inspection agreement, Jackson County Sheriff \$17,000*
- *Truck inspection agreement, Columbia County Sheriff \$13,600*
- *Truck inspection agreement, Washington County Sheriff \$13,400*
- *Truck inspection agreement, Turner Police Department \$13,000*
- *Truck inspection agreement, Umatilla City Police Department \$9,200*
- *Truck inspection agreement, Hermiston Police Department \$3,000*
- *Truck inspection agreement, Reedsport Police Department \$2,800*
- *Truck inspection agreement, Umatilla Tribal Police Department \$2,600*

2. Where contracts are with consultant or professional service firms, describe the advertising and selection process. Were DBE firms encouraged to submit proposals? Were DBE goals assigned to contracts?

There were no consultant or professional services contracts during this period.

3. What was the total dollar value of contract work last year? What amount went to DBE firms, either as primes or sub-contractors?

The total contract work in federal fiscal year 2009 was \$574,000. There were no contracts awarded to a DBE as a prime.

4. What steps, if any, are planned for next year to increase DBE participation?

Every MCSAP agreement contains standard terms and conditions related to nondiscrimination, Disadvantaged Business Enterprises, and the Civil Rights Act. DBE participation is an objective of the Oregon contracting process. However, the Division does not anticipate additional contracting work or DBE opportunities next year as the bulk of MCSAP funds go to State agencies, in accordance with guidance from the Legislature.

5. Were any Civil rights complaints (Title VI) received regarding the Motor Carrier Program?



No.

- 6. Was any Title VI training provided during the reporting period? If so, how many participants attended? Was any other kind of civil rights training conducted? If so, what type of training (course content)?

A number of Motor Carrier Division employees, including several managers, participated in the 2010 Diversity Conference -- Making Diversity Your Business -- that was hosted by DHS and ODOT.

The Division management team is focused on ODOT's Affirmative Action Plan and determined to assist in addressing underrepresented areas.

MCTD is in the process of developing a Diversity Action Team (DAT) at its headquarters in the Salem Public Utility Commission building. The goals of this DAT would be to increase diversity visibility within the whole agency, empower members to be involved in educating themselves and the agency around diversity, explore Equal Employment Opportunities and Affirmative Action issues, provide leadership opportunities for all, and increase communication and education throughout the agency regarding diversity.

More than a year ago, ODOT contracted with consultants to provide a Cultural Competency Needs assessment and develop training for the agency. The consultants completed the assessment in December 2009 and then in 2010 they completed training of all ODOT managers. Training now rolls out to the general ODOT employee base in the next two years through the use of several designated ODOT trainers.



Administration

1. Provide a list of employees by ethnicity, gender, and title in each of the Title VI program areas.

*The composite of the staff of each program area in terms of gender, race, and title is provided in **Appendix F**. Please note that the “Deviations” column of each “Job Category” is the status of the Parity Counts” to “Actual Counts” in relation to Affirmative Action goals. The data indicates the deviation from parity for females, minorities and disabled. Where a minus sign (-) appears, the current workforce is below parity by the number of positions and percentage indicated.*

2. Summarize all activities undertaken during the reporting period which provide for assurances of the Title VI compliance by contractors (i.e., are Title VI requirements included in all contracts and consultant agreements; were reviews made to ensure contractors and consultants are adhering to Title VI.

All ODOT contracts contain non-discrimination contract and agreement provisions or specifications. Currently there is not a compliance program in place to review consultants for compliance.

ODOT is undertaking a second disparity study and is currently refocusing its attention on personal services contracts and the opportunities available for setting DBE requirements. In order for the disparity study to have a solid foundation for detecting gaps in employment of minority or woman owned businesses, ODOT is requiring all consultants to report subcontracting data for the past two years and this information will be collected and used in the disparity study.

3. Was any Title VI training provided during the reporting period? If so, how many participants attended titles, etc.? Was any other kind of civil rights training conducted? If so, what type of training (course content)? Provide a list of participants by job title (i.e., supervisor, manager, etc.).

During this reporting period the OCR Title VI Program conducted Title VI training for ODOT regional project delivery staff in ODOT Region 1 and 2. Local Government Section personnel and local partners in March of 2010. Regional project delivery staff represented project managers, planner, environmental, right of way, and contracts personnel. Local government staff included planners, transportation division personnel including engineering and project managers, public works personnel and ODOT local Liaisons.



OREGON DEPARTMENT OF TRANSPORTATION

Director's Statement



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Office of the Director

Rm 135

355 Capitol St. NE

Salem, Oregon 97301-3871

FILE CODE:

TITLE VI AND RELATED STATUTES NONDISCRIMINATION STATEMENT

November 22, 2010

It is the Oregon State Department of Transportation's (ODOT) policy to assure that no person shall, on the grounds of race, color, national origin, disability, age or sex, as provided by Title VI of the Civil Rights Act of 1964 and related statutes, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of the programs or activities it administers.

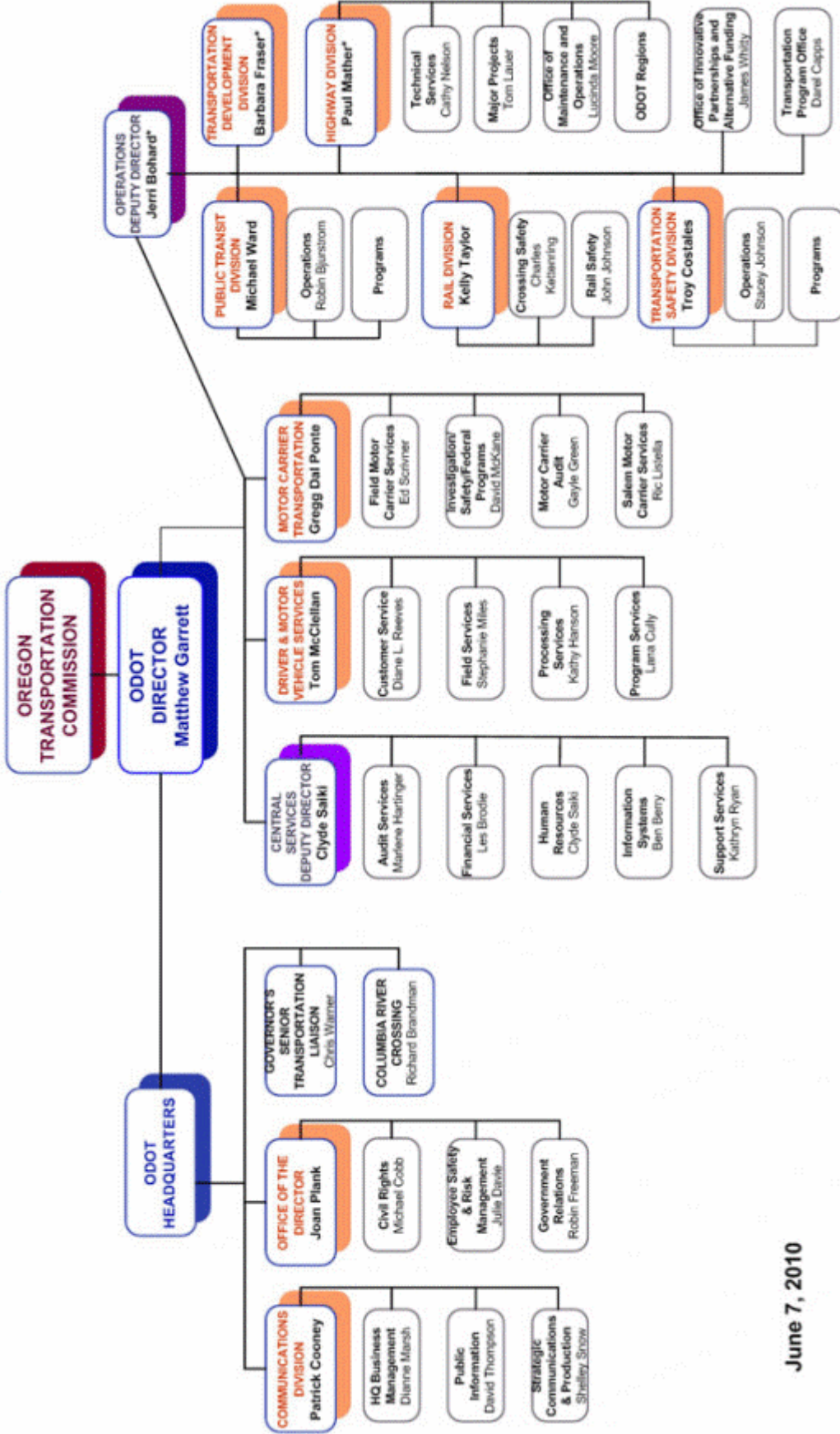
Matthew L. Garrett, Director



OREGON DEPARTMENT OF TRANSPORTATION

Organization Chart

Oregon Department of Transportation



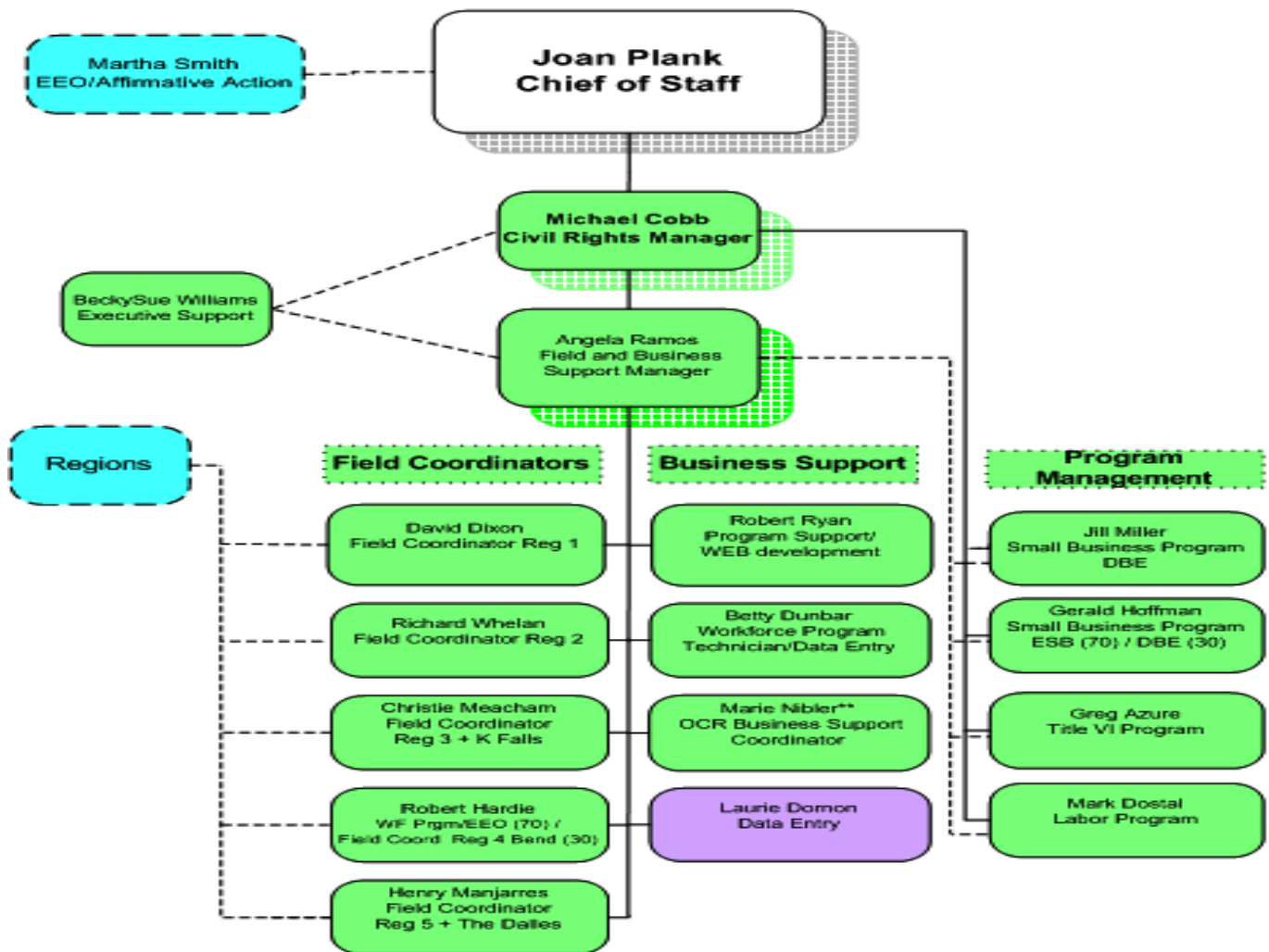
June 7, 2010



OFFICE OF CIVIL RIGHTS

Organizational Chart

OFFICE OF THE DIRECTOR



--- Soft Reports

**Rotational Assignment.

Non - HQ employee

IGA / Contract Services



OREGON DEPARTMENT OF TRANSPORTATION

Title VI Complaint Process

Title VI of the Civil Rights Act of 1964 and Related Statutes

Discrimination Complaint Process

Introduction

The Title VI (and related statutes) discrimination complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the Oregon Department of Transportation's (ODOT) programs, activities and services as required by statute.

Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the Office of Civil Rights (OCR). These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, Executive Order 12898 Environmental Justice, Executive Order 13166 Limited English Proficiency and applicable Department policies. Any person who feels that he or she has been subjected to discrimination on the basis of race, color, national origin, gender, age, disability, or because they are low income, has the right to file a complaint with the Department's Office of Civil Rights

Title VI Complaints must be filed within 180 days of the alleged discriminatory event or practice. Complaints must be filed in person or in writing. They should be directed to:

Office of Civil Rights
Oregon Department of Transportation
Attn. Title VI Officer
355 Capitol St NE
Salem, Oregon 97301

These procedures do not deny or limit the right of a complainant to file a formal complaint with an outside enforcement agency (BOLI, EEOC, U.S. Dept. of Transportation, FHWA, FTA, or U. S. Dept. of Justice) or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest possible level.

Roles and Responsibilities

- The Office of Civil Rights Manager and Title VI Officer, has overall responsibility for the discrimination complaint process and procedures.
- The Office of Civil Rights Manager, Title VI Officer and Civil Rights Field Coordinators serve as points of contact statewide for the public to initiate complaints of discrimination.
- The Office of Civil Rights is responsible for conducting an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon the information obtained from the investigation.

In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints however must be signed by the complainant.

Filing of Formal Complaints

1. APPLICABILITY

The complaint procedures apply to the beneficiaries of the Oregon Department of Transportation's programs, activities, and services, including but not limited to the public and other sub-recipients of Federal and State funds.

2. ELIGIBILITY

Any person who believes that he/she has been excluded from participation in, or have been denied benefits or services of any program or activity administered by the Department or its sub-recipients, consultants, and contractors on the basis of race, color, national origin, sex, age, or disability may bring forth a complaint of discrimination under Title VI and related statutes.

3. TIME LIMITATIONS AND FILING OPTIONS

Title VI complaints of discrimination may be filed with:

- The Office of Civil Rights of ODOT
- Federal Highway Administration
- Federal Transit Administration
- U.S. Department of Transportation

In all situations, Oregon Department of Transportation Civil Rights staff must immediately forward Title VI discrimination complaints to FHWA or FTA.

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

4. TYPE OF COMPLAINTS

All Title VI and related statute complaints are considered formal as there is no informal process. Complaints must be in writing and signed by the complainant. Complaints must include the complainant's name, address and phone number and be detailed to specify all issues and circumstances of the alleged discrimination.

5. COMPLAINT BASIS

Allegations must be based on issues involving race, color, national origin, sex, age, disability, or income. The term “basis” refers to the complainant's protected group status.

Protected Group Categories	Definition	Examples
Race	An individual belonging to one of the accepted anthropological racial groups; or the perception, based on physical characteristics that a person is a member of a racial group.	Black, White, Hispanic, Asian, Native American Indian, Filipino, or Pacific Islander
Color	Color of skin, including shade of skin within a racial group.	Black, white, light brown, dark brown, etc.
National Origin	National birth site. Citizenship is not a factor. Discrimination based on language or a persons accent is covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese
Sex	Gender	Women and men
Age	Persons of any age	21 year old person
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, deaf, mobility limitations, etc.
Socio-Economic	Individuals and segments of communities (neighborhoods) that are below the HHS Poverty line index that are subject to provisions contained in Executive Order 12898 – Environmental Justice	Low-Income individuals and members of communities that may be subjected to adverse impacts or denied the benefits from transportation decision-making because of their socio-economic status

Complaint Processing

1. INITIAL CONTACT

The Office of Civil Rights Manager, Title VI Officer and Civil Rights Field Coordinators serve as the Department's resources for members of the public who wish to file a discrimination complaint under Title VI and related statutes. As resources, The Office of Civil Rights Manager, Title VI Officer and Civil Rights Field Coordinators staff provides complainants with:

- An explanation of their filing options.
- The discrimination complaint process.

2. THE COMPLAINT REVIEW PROCESS

- a. The Office of Civil Rights reviews the complaint upon receipt to ensure that relevant information is provided, the complaint is timely, and meets jurisdiction.
- b. The complaint shall be investigated unless:
 - The complaint is withdrawn.
 - The complainant fails to provide required information after numerous requests.
 - The complaint is not filed timely.
 - Any issues that do not involve discrimination, or are not based on a protected basis will be directed to the appropriate entity. Under no circumstance is the complainant discouraged from filing a complaint.
- c. Upon determination that the complaint warrants an investigation: The complainant is sent a letter, acknowledging receipt of the complaint, the name of the investigator, and is provided with his/her rights under Title VI and related statutes.
- d. The respondent is notified by mail that he/she has been named in a complaint and is provided with his/her rights under Title VI and related statutes. The letter also reveals the investigator's name and informs the respondent that he/she will be contacted for an interview.
- e. A letter is sent to the appropriate manager when the complainant(s) or respondent(s) are located in a Region office. Program managers will be informed that a complaint was filed; the letter will list the

names of the parties involved, the basis of the complaint and the assigned investigator.

- f. Title VI Officer is responsible for the overall Title VI program implementation. This Title VI Officer is appointed by the Manager of the Office Civil Rights who reports directly to the Director of the Oregon Department of Transportation.

Investigation

1. INVESTIGATION PLAN

The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s);
- Basis for the complaint;
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against;
- Information needed to address the issue;
- Criteria, sources necessary to obtain the information;
- Identification of key people;
- Estimated Investigation time line;
- Remedy sought by complainant(s)

2. CONDUCTING THE INVESTIGATION

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case, which the witness can provide firsthand information.
- Interviews can be tape recorded with the interviewees consent.
- A chronological contact sheet is maintained in the case file throughout the investigation.

3. INVESTIGATION REPORTING PROGRESS

- Within 30 days of receiving the complaint, the investigator prepares an investigation report and submits the report and supporting documentation to the Office of Civil Rights Manager for review.

- The Office of Civil Rights Manager reviews the file and investigation report. Subsequent to the review, the Office of Civil Rights Manager, makes a final determination of “probable causes” or “no Cause” and prepares a final decision letter for signature.
- OCR shall prepare and submit a written report, outlining the following complaint details:
 - a. Date of written complaint;
 - b. Complaint basis (race, color, national origin);

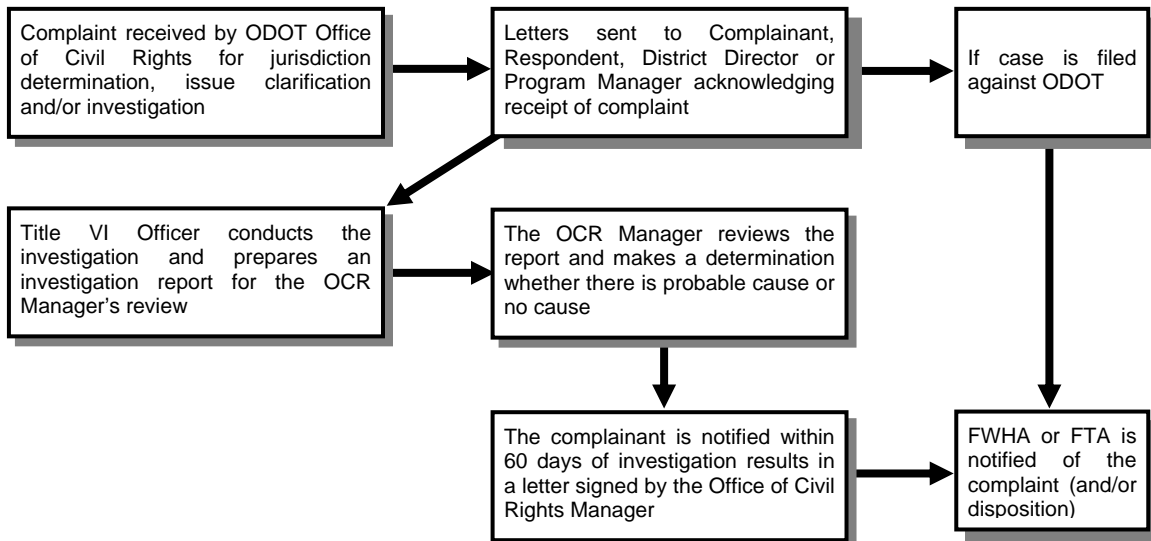
Reporting Requirements

A copy of the complaint, together with a copy of the report of investigation, is forwarded to the appropriate federal agency (FHWA or FTA) within 60 days of the date the complaint was received.

Records

All records and investigative working files are maintained in a confidential area within the Office of Civil Rights. Records will be kept for three years internally then archived for a period of ten years.

Complaint Process Flow Chart



Authorities

Title VI of the Civil Rights Act of 1964, (42 USC 2000d to 2000-4):

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987, (Pub. L. No. 100-259):

The Civil Rights Restoration Act of 1987 broadens the scope of Title VI by expanding the definitions of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors.

23 CFR 200 and 49 CFR 21:

23 CFR 200 and 49 CFR 21 are administrative Regulations from USDOT and FHWA that specify requirements for state DOTs to implement Title VI policies and procedures at the state and local levels.

Federal Aid Highway Act of 1973, (23 USC 324):

The Federal Aid Highway Act of 1973 provides that no person on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Age Discrimination Act of 1975, (42 USC 6101):

The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Americans With Disabilities Act of 1990, (Pub. L. No. 101-336):

The Americans With Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973:

Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Executive Order 12898:

Executive Order 12898 regards federal actions to address Environment Justice in minority populations and low income populations.

Executive Order 13166:

Executive Order 13166 regards the improvement of access to services for persons with limited English proficiency.

Office of Civil Rights
TITLE VI Compliant Form



Title VI of the Civil Rights Act of 1964 states “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Title 42 U.S.C. Section 2000d

Please provide the following information necessary in order to process your complaint. A formal complaint must be filed within 180 days of the occurrence of the alleged discriminatory act. Assistance is available upon request. Please contact ODOT OCR at (503) 986-3169.

Complete this form and return to:

Oregon Department of Transportation
Office of Civil Rights, Title VI Officer
355 Capitol St. NE
Salem, OR 97301

Complainant's Name: _____

Address: _____ City: _____

State: _____ Zip Code: _____

Telephone (Home) : _____ (Work): _____

Person(s) discriminated against (if other than complainant)

Name: _____

Address: _____ City: _____

State: _____ Zip Code: _____

Telephone (Home): _____ (Work): _____

What is the discrimination based on?

- Race/Color National Origin Sex Disability
 Low Income Limited English Proficiency

Date of the alleged discrimination: _____ Location: _____

Agency or person that was responsible for alleged discrimination:

Describe the alleged discrimination. Explain what happened and whom you believe was responsible (for additional space, attach additional sheets of paper to this form).

List names and contact information of persons who may have knowledge of the alleged discrimination.

How can this complaint be resolved? How can the problem be corrected?

Please sign and date. The complaint will not be accepted if it is has not been signed. You may attach any written materials or other supporting information that you think is relevant to your complaint.

Signature

Date



OREGON DEPARTMENT OF TRANSPORTATION

MPO Review Worksheet



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation
Office of Civil Rights
Title VI Program
800 Airport Road SE
Salem, OR 97301
Telephone (503) 986-4350
FAX (503) 986-6382

**Title VI Program
Review Worksheets for
Metropolitan Planning Organizations (MPO)**

(Date)

(Name of MPO)

Reviewers

Name, Manager Title VI Program

Name, Title VI Liaison

Name, Title VI Liaison

In accordance with Title VI of the Civil Rights Act of 1964, Code of Federal Regulation (CFR) 23, Part 200, CFR 49, Part 21, United States Department of Transportation (USDOT) Circular UMTA C 4704.1, USDOT Circular UMTA C 4702.1, and Executive Order 6640.23 Actions To Address Environmental Justice In Minority Populations and Low-income Populations, the Oregon Department of Transportation Title VI Program conducts its annual review of the Metropolitan Planning Organization referenced above.

Please prepare, in advance of the scheduled entrance interview, Date, Time am, a written response to the following questions. At the beginning of your response document please include the name of your MPO, the date of the review, the signature, name, and title of the person responsible for the collective response, and the date of that persons signature. At the end of each response, identify the name and telephone number of the person who prepared the response.

I. PLANNING PROCESS

1. Provide a copy of your Overall Work Plan.

A. Strategies and Goals

1. What strategies and efforts has your planning process developed for ensuring, demonstrating and substantiating compliance with Title VI?
2. What measures have been used to verify that the multi-modal system access and mobility performance improvements included in the plan and Transportation Improvement Program (TIP) and the underlying planning process, comply with Title VI?

3. Has your planning process developed a demographic profile of the metropolitan planning area that includes identification of the locations of socio-economic groups, including low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI provisions? Describe how.
4. Does your planning process seek to identify the needs of low-income and minority populations? Describe how.
5. Does your planning process seek to utilize demographic information to examine the distributions across these groups of the benefits and burdens of the transportation investments included in the plan and TIP?
6. What methods are used to identify imbalances?

B. Service Equity

1. Does your planning process have an analytical process in place for assessing the regional benefits and burdens of transportation system investments for different socio-economic groups?
2. Does it have a data collection process to support the analysis effort? Describe and provide an example.
3. Does this analytical process seek to assess the benefit and impact distributions of the investments included the plan and TIP?
4. How does the planning process respond to the analyses produced?

C. Public Involvement

1. Provide a copy of your public involvement process policy. Is there at least a 45-day public comment period before the process or revision is adopted?
2. Is information about transportation issues and processes provided timely to citizens, public agencies, transportation agency employees, private sector transportation providers, and others affected by transportation plans, programs and projects? Describe how.
3. Does the public have access to technical and policy information used to develop plans and the Transportation Improvement Program (TIP), and to public meetings where Federal-aid highway and transit programs are considered? Describe how.
4. Is public notice, at least 30 days, given for public review and comment of key decision, including approval of plans, TIPS and amendments? Describe how.
5. Are explicit consideration and response offered to public input received during the planning and program development stages? Describe how.
6. Are the needs of low-income and minority households taken into account? Describe how.

7. Does the public outreach effort utilize media such as print, television, radio, etc targeted to low-income or minority populations?
8. Has your MPO made funds available to local organizations that represent low-income and minority populations to enable their participation in the planning process?
9. Are tribal governments and related public agencies on public or tribal land involved in the development of transportation plans and programs? Describe how tribal governments are involved in the planning process and what considerations are given to Indian reservation roads.
10. When significant written or oral comments are received on the draft transportation plan, financial plan, or TIP, as a result of the public involvement process, is a summary analysis and report of the disposition of the comments made part of the final plan and TIP?
11. What changes have occurred as a result of input by public involvement, specifically low-income and minority populations?
12. Is the public involvement process reviewed periodically to determine the effectiveness of full and open access to all? Describe how.
13. Is the metropolitan public involvement process coordinated with the statewide public involvement processes wherever possible to enhance the public consideration of issues, plans and programs, and to reduce redundancies of costs? Describe how.
14. Describe the types of assurances utilized to assure that no one has been excluded from participation in, or denied benefit of, or otherwise subjected to discrimination on the basis of race, color, sex, national origin, or physical handicap for any program receiving assistance from the USDOT.
15. Describe actions taken to comply with the Americans with Disabilities Act.
16. Are traffic, ridesharing, transportation safety and enforcement agencies including the County Transportation Commissions, commuter rail operators, airport authorities, private sector transportation providers and city officials involved in your planning? Describe how.
17. Are local, State and Federal environmental, resource, and permit agencies involved in your planning? Describe how.
18. Have there been any changes in your public involvement processes since your last review? If so, what are they?
19. Were there any planning studies undertaken during the last two years, which specifically addressed the needs of minority and or low-income populations? If so, identify.
20. Describe what kinds of demographic data, including race and income, is collected.

D. Hearings

1. What statistics are kept on public hearing participation by race and gender? Visual identification?
2. Are minority group concerns addressed in a timely manner? Describe how.
3. Are public meeting announcements made available in languages other than English, according to the affected minority population? Describe how and provide an example.
4. Are accessible locations (geographically and structurally), appropriate times, and translation services planned for and provided during public hearings?

E. Consultant contracts

1. How are Requests for Proposals (RFP's) advertised? Describe the process.
2. Describe the requirements for submitting a proposal?
3. Describe the sub-contracting opportunities?
4. How does your firm promote the participation of DBE consultants?
5. Are DBE goals set and do you meet those goals?
6. Who in the planning organization monitors the consultant's adherence with the Title VI requirements?
7. Provide the number, dollar values, and types of contracts and funding sources used by the planning organization during the last two fiscal years. Identify if they were DBE.
8. Provide a copy of your DBE plan.

II. ADMINISTRATION

A. Staff, Board and Program Administration Composition

1. Agency Staff - Provide a staffing composition listing by position, race, and gender. Include an organizational chart.
2. Board of Directors - Provide a staffing composition listing by position, race, and gender. Identify the voting members.
3. Policy and Advisory Committees – Provide a staffing composition listing of committees and their respective members by position, race and gender.
4. Describe, in summary, the programs administered by the planning organization and their funding sources.
5. Provide a copy of your Equal Employment Opportunity Plan.

B. Complaint Procedure

1. Provide a copy of your Title VI complaint procedure. How is the community, your customers, made aware of this process?
2. How many Title VI related complaints have you received in the past two years? What was the outcome of those complaints?



OREGON DEPARTMENT OF TRANSPORTATION

Affirmative Action Plan

Summary of Division Affirmative Action Parity

Affirmative Action parity goals are set for the State of Oregon as one employer. Each EEO category is further broken down and given parity goals for each under-represented group.

The table below highlights ODOT's current workforce strengths and areas of under-representation by division. The division parity and representation data is as of June 30, 2010. The EEO F (Office/Clerical Support) category has not been included in the chart below as the Department and its divisions individually have met or surpassed parity in this category.

Parity by EEO Category by Division

Central Services Division

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRENT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	33.9%	20	59	-13	-3
EEO B: Professionals	41.2%	40.6%	146	359	+16	-2
EEO C: Technicians	43.6%	7.1%	1	14	-2	-5
EEO G: Skilled Craft	18.4%	0.0%	0	108	-14	-20
EEO H: Maintenance	37.8%	15.0%	3	20	-5	-5
<i>MINORITY</i>						
EEO A: Officials	12.9%	11.9%	7	59	at parity	-1
EEO B: Professionals	10.8%	9.5%	34	359	-5	-5
EEO C: Technicians	9.0%	21.4%	3	14	+2	+2
EEO G: Skilled Craft	8.5%	4.7%	5	108	-2	-4

EEO H: Maintenance	11.6%	0.0%	0	20	-2	-2
<i>DISABLED</i>						
EEO A: Officials	6.0%	0.0%	0	59	-4	-4
EEO B: Professionals	6.0%	3.3%	12	359	-9	-10
EEO C: Technicians	6.0%	21.4%	3	14	+3	+2
EEO G: Skilled Craft	6.0%	0.0%	0	108	-6	-6
EEO H: Maintenance	6.0%	0.0%	0	20	-1	-1

Communication Division/HQ

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRE NT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	45.5%	5	11	+1	+1
EEO B: Professionals	41.2%	40.0%	16	40	at parity	-1
<i>MINORITY</i>						
EEO A: Officials	12.9%	18.2%	2	11	at parity	+1
EEO B: Professionals	10.8%	10.0%	4	40	at parity	at parity
<i>DISABLED</i>						
EEO A: Officials	6.0%	9.1%	1	11	at parity	at parity
EEO B: Professionals	6.0%	10.0%	4	40	at parity	+3

Driver and Motor Vehicles Services Division (DMV)

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRE NT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	60.3%	38	63	+13	+13
EEO B: Professionals	41.2%	62.3%	53	85	+16	+16
EEO C: Technicians	43.6%	65.2%	216	331	+24	+28
<i>MINORITY</i>						
EEO A: Officials	12.9%	14.3%	9	63	+1	+1
EEO B: Professionals	10.8%	8.4%	7	85	-2	-1
EEO C: Technicians	9.0%	22.3%	74	331	+46	+48
<i>DISABLED</i>						
EEO A: Officials	6.0%	3.2%	2	63	-1	-2
EEO B: Professionals	6.0%	2.3%	2	85	-5	-3
EEO C: Technicians	6.0%	3.0%	10	331	-9	-10

Motor Carrier Transportation Division (MCTD)

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRE NT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	33.3%	8	24	-3	-2
EEO B: Professionals	41.2%	44.4%	36	81	+5	+3
EEO C: Technicians	43.6%	45.8%	72	157	-5	+4
<i>MINORITY</i>						
EEO A: Officials	12.9%	4.2%	1	24	-2	-2
EEO B: Professionals	10.8%	11.1%	9	81	at parity	+1
EEO C: Technicians	9.0%	10.2%	16	157	+2	+3
<i>DISABLED</i>						
EEO A: Officials	6.0%	8.3%	2	24	at parity	+1
EEO B: Professionals	6.0%	7.4%	6	81	at parity	+1
EEO C: Technicians	6.0%	10.8%	17	157	+4	+7

Public Transit Division

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRENT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	0.0%	0	1	N/A*	N/A*
EEO B: Professionals	41.2%	75.0%	9	12	+4	+4
<i>MINORITY</i>						
EEO A: Officials	12.9%	0.0%	0	1	N/A*	N/A*
EEO B: Professionals	10.8%	8.3%	1	12	-1	at parity
<i>DISABLED</i>						
EEO A: Officials	6.0%	0.0%	0	1	N/A*	N/A*
EEO B: Professionals	6.0%	8.3%	1	12	at parity	at parity

Note: * N/A this goal is not applicable since the division does not have any or very few employees in this EEO category.

Rail Division

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRENT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	33.3%	1	3	at parity	at parity

EEO B: Professionals	41.2%	5.8%	1	17	-6	-7
<i>MINORITY</i>						
EEO A: Officials	12.9%	0.0%	0	3	N/A*	N/A*
EEO B: Professionals	10.8%	0.0%	0	17	-2	-2
<i>DISABLED</i>						
EEO A: Officials	6.0%	0.0%	0	3	N/A*	N/A*
EEO B: Professionals	6.0%	5.8%	1	17	at parity	at parity

Note: * N/A this goal is not applicable since the Division does not have any or very few employees in this EEO category.

Transportation Safety Division

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRENT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	0.0%	0	1	N/A*	N/A*
EEO B: Professionals	41.2%	75.0%	12	16	+5	+5
<i>MINORITY</i>						
EEO A: Officials	12.9%	100.0%	1	1	+1	N/A*
EEO B: Professionals	10.8%	6.3%	1	16	at parity	-1
<i>DISABLED</i>						
EEO A: Officials	6.0%	0.0%	0	1	N/A*	N/A*
EEO B: Professionals	6.0%	6.3%	1	16	-1	at parity

Note: * N/A this goal is not applicable since the Division does not have any or very few employees in this EEO category.

Highway Division

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRENT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	15.2%	30	197	-43	-43
EEO B: Professionals	41.2%	29.1%	165	567	-4	-69
EEO C: Technicians	43.6%	18.6%	98	526	-8	-131
EEO G: Skilled Craft	18.4%	7.7%	79	1022	-145	-109
EEO H: Maintenance	37.8%	0.0%	0	1	N/A*	N/A*
<i>MINORITY</i>						
EEO A: Officials	12.9%	9.6%	19	197	-6	-6
EEO B: Professionals	10.8%	6.9%	39	567	-18	-22
EEO C: Technicians	9.0%	11.6%	61	526	+16	+14
EEO G: Skilled Craft	8.5%	5.7%	59	1022	-37	-28
EEO H: Maintenance	11.6%	0.0%	0	1	N/A*	N/A*
<i>DISABLED</i>						
EEO A: Officials	6.0%	1.0%	2	197	-11	-9
EEO B: Professionals	6.0%	2.1%	12	567	-24	-22
EEO C: Technicians	6.0%	3.6%	19	526	-9	-13

EEO G: Skilled Craft	6.0%	0.7%	7	1022	-52	-54
EEO H: Maintenance	6.0%	0.0%	0	1	N/A*	N/A*

Note: * N/A this goal is not applicable since the Division does not have any or very few employees in this EEO category.

Transportation Development Division

<i>EEO CATEGORY</i>	<i>PARITY %</i>	<i>CURRE NT %</i>	<i>CURRENT GROUP COUNT</i>	<i>CURRENT TOTAL</i>	<i>6/30/2009</i>	<i>6/30/2010</i>
<i>FEMALE</i>						
EEO A: Officials	39.8%	46.2%	6	13	+1	+1
EEO B: Professionals	41.2%	38.6%	22	57	+4	-1
EEO C: Technicians	43.6%	37.5%	12	32	+5	-2
<i>MINORITY</i>						
EEO A: Officials	12.9%	7.7%	1	13	-1	-1
EEO B: Professionals	10.8%	14.0%	8	57	at parity	+2
EEO C: Technicians	9.0%	15.6%	5	32	at parity	+2
<i>DISABLED</i>						
EEO A: Officials	6.0%	7.7%	1	13	-1	at parity
EEO B: Professionals	6.0%	1.8%	1	57	-2	-2
EEO C: Technicians	6.0%	3.1%	1	32	-1	-1



OREGON DEPARTMENT OF TRANSPORTATION

MCSAP Appendix

Motor Carrier Safety Assistance Program (MCSAP) Agreement Terms and Conditions

Every MCSAP agreement contains the following terms and conditions related to nondiscrimination, Disadvantaged Business Enterprises, and the Civil Rights Act:

V. NONDISCRIMINATION

During the performance of this contract, Contractor, for himself, his assignees and successors in interest, hereinafter referred to as Contractor, agrees as follows:

1. **Compliance with Regulations.** Contractor agrees to comply with Title VI of the Civil Rights Act of 1964, and Section 162(a) of the Federal-Aid Highway Act of 1973 and the Civil Rights Restoration Act of 1987. Contractor shall comply with the regulations of the Department of Transportation relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are incorporated by reference and made a part of this contract. Contractor, with regard to the work performed after award and prior to completion of the contract work, shall not discriminate on grounds of race, creed, color, sex or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contract covers a program set forth in Appendix B of the Regulations.
2. **Solicitation for Subcontractors, including Procurement of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiations made by Contractor for work to be performed under a subcontract, including procurement of materials and equipment, each potential subcontractor or supplier shall be notified by Contractor of Contractor's obligations under this contract and regulations relative to nondiscrimination on the grounds of race, creed, color, sex or national origin.
3. **Nondiscrimination in Employment (Title VII of the 1964 Civil Rights Act).** During the performance of this contract, Contractor agrees as follows:
 - a. Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex or national origin. Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this nondiscrimination clause.
 - b. Contractor will, in all solicitations or advertisements for employees placed by or on behalf of Contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex or national origin.
4. **Information and Reports.** Contractor will provide all information and reports required by the Regulations or orders and instructions issued pursuant thereto, and will permit access to his books, records, accounts, other sources of information, and his facilities as may be determined by Department or FMCSA as appropriate, and shall set forth what efforts he has made to obtain the information.
5. **Sanctions for Noncompliance.** In the event of Contractor's noncompliance with the nondiscrimination provisions of the contract, Department shall impose such agreement sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to Contractor under the agreement until Contractor complies; and/or
 - b. Cancellation, termination or suspension of the agreement in whole or in part.

Motor Carrier Safety Assistance Program (MCSAP) Agreement Terms and Conditions

6. Incorporation of Provisions. Contractor will include the provisions of paragraphs 1 through 6 of this section in every subcontract, including procurement of materials and leases of equipment, unless exempt from Regulations, orders or instructions issued pursuant thereto. Contractor shall take such action with respect to any subcontractor or procurement as Department or FMCSA may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event Contractor becomes involved in or is threatened with litigation with a subcontractor or supplier as a result of such direction, Department may, at its option, enter into such litigation to protect the interests of Department, and, in addition, Contractor may request Department to enter into such litigation to protect the interests of the State of Oregon.

VI. DISADVANTAGED BUSINESS ENTERPRISE (DBE) POLICY

In accordance with Title 49, Code of Federal Regulations, Part 26, Contractor shall agree to abide by and take all necessary and reasonable steps to comply with the following statement:

DBE POLICY STATEMENT

DBE Policy. It is the policy of the United States Department of Transportation (USDOT) to practice nondiscrimination on the basis of race, color, sex and/or national origin in the award and administration of USDOT assist contracts. Consequently, the DBE requirements of 49 CFR 26 apply to this contract.

Required Statement For USDOT Financial Assistance Agreement. If as a condition of assistance the Agency has submitted and the US Department of Transportation has approved a Disadvantaged Business Enterprise Affirmative Action Program which the Agency agrees to carry out, this affirmative action program is incorporated into the financial assistance agreement by reference.

DBE Obligations. The Oregon Department of Transportation (ODOT) and its contractor agree to ensure that Disadvantaged Business Enterprises as defined in 49 CFR 26 have the opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds. In this regard, Contractor shall take all necessary and reasonable steps in accordance with 49 CFR 26 to ensure that Disadvantaged Business Enterprises have the opportunity to compete for and perform contracts. Neither ODOT nor its contractors shall discriminate on the basis of race, color, national origin or sex in the award and performance of federally-assisted contracts. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of such contracts. Failure by the contractor 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 ODOT deems appropriate.

The DBE Policy Statement and Obligations shall be included in all subcontracts entered into under this contract.

Records and Reports. Contractor shall provide monthly documentation to Department that it is subcontracting with or purchasing materials from the DBEs identified to meet contract goals. Contractor shall notify Department and obtain its written approval before replacing a DBE or making any change in the DBE participation listed. If a DBE is unable to fulfill the original obligation to the contract, Contractor must demonstrate to Department the Affirmative Action steps taken to replace the DBE with another DBE. Failure to do so will result in withholding payment on those items. The monthly documentation will not be required after the DBE goal commitment is satisfactory to Department.

Any DBE participation attained after the DBE goal has been satisfied should be reported to the Departments.

Motor Carrier Safety Assistance Program (MCSAP) Agreement Terms and Conditions

DBE Definition. Only firms DBE certified by the State of Oregon, Department of Consumer & Business Services, Office of Minority, Women & Emerging Small Business, may be utilized to satisfy this obligation.

CONTRACTOR'S DBE CONTRACT GOAL

DBE GOAL 0 %

By signing this contract, Contractor assures that good faith efforts have been made to meet the goal for the DBE participation specified in the Request for Proposal/Qualification for this project as required by ORS 200.045, and 49 CFR 26.53 and 49 CFR, Part 26, Appendix A.

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10. Civil Rights Act: The recipient shall comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), and in accordance with Title VI of that Act, no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity for which the recipient received Federal financial assistance and shall immediately take any measures necessary to effectuate this Agreement. It shall comply with Title VI of the Civil Rights Acts of 1964 (42 U.S.C. 2000d) prohibiting employment discrimination where:
- (a) The primary purpose of an instrument is to provide employment, or
 - (b) Discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.