



# **Title VI Implementation Plan**

## **FFY 2024**

**Oregon Department of Transportation**  
**Office of Equity and Civil Rights**  
**800 Airport Road SE**  
**Salem, Oregon 97301-4792**

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## INTRODUCTION TO ODOT

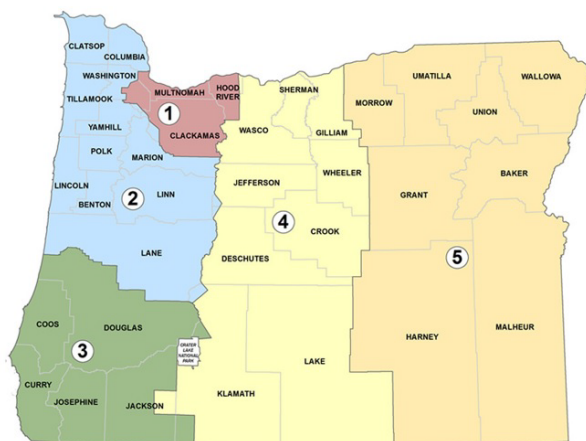
The Oregon Department of Transportation's (ODOT) mission is to provide a safe and reliable multimodal transportation system that connects people and helps Oregon's communities and economy thrive.

ODOT's values inform decision making and guide our actions in working with each other, our partners and the communities we serve:

- **Integrity:** We are accountable and transparent with public funds and hold ourselves to the highest ethical standards.
- **Safety:** We share ownership and responsibility for ensuring safety in all that we do.
- **Equity:** We embrace diversity and foster a culture of inclusion.
- **Excellence:** We use our skills and expertise to continuously strive to be more efficient, effective and innovative.
- **Unity:** We work together as One ODOT to provide better solutions and ensure alignment in our work.

ODOT was established to bring together programs that meet the objectives of contributing to the growth and economy of the state by providing for the movement of persons and goods rapidly, safely, and economically. ODOT develops and administers Oregon's system of highways and their infrastructure; public transportation services; rail passenger and freight systems; bicycle and pedestrian paths and routes; ports and marine transportation; pipelines; transportation safety programs; driver and vehicle licensing and registration; and the enforcement of statutes, policies, and procedures relating to commercial motor carriers.

ODOT divides its operations into five geographical regions. Each region is responsible for developing and managing transportation construction projects and maintaining state, federal, and interstate highways and other transportation infrastructure within its boundaries. This map depicts the boundaries of the five ODOT regions:



Region 1: Portland Metro

Region 2: Willamette Valley, North and Mid-Coast

Region 3: Southern Oregon and South Coast

Region 4: Central Oregon

Region 5: Eastern Oregon

In 2019, ODOT Director Kris Strickler announced the reorganization of ODOT into four major organizational areas: Revenue, Finance & Compliance; Delivery and Operations; Government & External Relations; and Social Equity. As this document illustrates, ODOT’s commitment to nondiscrimination and implementation of Title VI of the Civil Rights Act of 1964 spans across the organization and is an example of the agency’s “ONE ODOT” approach to living our values and implementing our mission.

## **ODOT’S COMMITMENT TO NONDISCRIMINATION**

ODOT is a recipient of federal financial assistance. As a condition of receiving these funds, the Department must comply with various nondiscrimination laws and regulations, including **Title VI of the Civil Rights Act of 1964**. Title VI provides that:

“[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.” 42 U.S.C. § 2000d.

Subsequently, federal authorities extended these protections to include sex, age, disability, income level, and Limited English Proficiency. As a result, public or private entities that receive federal assistance (called recipients) from any federal agency, including the Federal Highway Administration (FHWA), must take concrete steps to ensure nondiscrimination in their programs and activities.

**It is the Oregon Department of Transportation’s policy to assure that no person shall, on the grounds of race, color, national origin, age, sex, disability, income level or Limited English Proficiency as provided by Title VI of the Civil Rights Act of 1964 and related authorities, be excluded from participation in, be denied the benefit of, or be otherwise discriminated against under any of the programs or activities it administers.**

## **THIS TITLE VI PLAN & ASSURANCES**

Title 23, CFR Part 200.0 (b) (11) and the Federal Highway Administration (FHWA) specifically requires recipients of Federal-Aid Highway Program funds, including ODOT, to prepare a Title VI Implementation Plan. Title VI plans should describe the roles, responsibilities, and procedures for assuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives by the state transportation agency.

The **ODOT Office of Equity and Civil Rights (OECR) Title VI Program** measures compliance and implementation of Title VI federal directives. This document outlines ODOT's Title VI implementation processes and procedures, including information about the ODOT organization and staff structure, program monitoring, compliance review of external agencies in receipt of Federal-aid Highway Program funds through ODOT, the investigation and resolution of discrimination complaints, and other Title VI activities and assurances.

**This Title VI Implementation Plan additionally provides guidance regarding language access for individuals with Limited English Proficiency (LEP)** and referral for additional information to ODOT's Limited English Proficiency Plan. Executive Order 13166 on *Improving Access to Services for Persons with Limited English Proficiency* requires federal agencies to examine the services they provide, identify any need for services to LEP individuals, develop, and implement a system to provide those services in a way that LEP people can have meaningful access to them. FHWA requires ODOT to take the necessary actions to ensure that LEP people are provided an equal opportunity to benefit from and have access to ODOT programs, facilities, and services. Access for LEP people is a component of Title VI implementation under protection from discrimination based on national origin. Together, the Title VI Program and the language access principles described in the LEP Plan advance the inclusion of marginalized community members and protect against discrimination.

On April 24, 2013, the Secretary of Transportation signed the **DOT Standard Title VI Assurances and Nondiscrimination Provisions, Order 1050.2A**, requiring that recipients of federal aid assure they will promptly take any measures necessary to implement Title VI as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, through the Federal Highway Administration. It also requires that such recipients are subject to and will comply with the following statutory/regulatory authorities.

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

**A copy of the Standard Title VI Assurances and Nondiscrimination Provisions signed by the ODOT Director or his designee for Federal Fiscal Year 2024 appears as an appendix at the end of this document.**

This 2024 Title VI Implementation Plan is available online:

[https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non\\_Dis\\_Main\\_List/EditForm/ODOT-TitleVI-Implementation-Plan.pdf](https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non_Dis_Main_List/EditForm/ODOT-TitleVI-Implementation-Plan.pdf)

## **ORGANIZATIONAL STRUCTURE**

The Oregon Department of Transportation Title VI Program is implemented by the Office of Equity and Civil Rights and coordinated by the Title VI/Environmental Justice/ADA Program Manager.

The Program Manager is responsible for implementing this plan, providing assistance regarding Title VI nondiscrimination information and activities, and monitoring subrecipients of federal financial assistance through ODOT. This position reports to Angela Crain, Office of Equity and Civil Rights Manager.

Title VI/EJ/ADA Program Manager:

David Morrissey (through October 2023)  
Brenda Gessner (starting October 2023)  
Telephone: 855-540-6655

To contact the ODOT Office of Equity and Civil Rights:

Oregon Department of Transportation  
Office of Equity and Civil Rights  
800 Airport Road SE  
Salem, Oregon 97301-4792  
Telephone: 503-986-4350

Within the Office of Equity and Civil Rights, staff at multiple levels participate in Title VI implementation functions:

### **Office of Equity and Civil Rights Manager:**

- Works collaboratively with federal and state authorities in communicating Title VI program requirements.
- Works closely with ODOT's Title VI program staff to implement the Department's Title VI work plan through programs, procedures and ongoing monitoring.
- Advises Title VI Program staff of Title VI related problems and discrimination complaints.
- Communicates with the Title VI program staff regarding projects that are in development phases where Title VI issues may arise.
- Leads OECR reviews of agency directives to determine if there are any Title VI implications.

**Title VI Program Manager:**

- Coordinates Title VI Program development and implementation with internal program areas.
- Provides technical assistance and advice on Title VI matters to program area subject matter experts (SMEs) and program area managers.
- Conducts Title VI reviews of internal program areas, metropolitan planning organizations (MPOs) and local subrecipients to ensure Title VI compliance.
- Review ODOT program areas to correct identified Title VI problems, including discriminatory practices of policies.
- Provides Title VI training for ODOT internal staff and subrecipients.
- Completes ODOT's Title VI Implementation Plan for submission to FHWA by October 1 of each year and the Title VI Annual Accomplishment Report for submission to FHWA by November 1 each year.
- Manages complaint disposition including investigation, documentation, resolution and, when applicable, interagency case transfer due to jurisdiction or higher authority requirements.
- Works with program areas to collect and document statistical data.
- Distributes and, where necessary, translates, Title VI documents for the public.
- Reviews ODOT program manuals, contracts and policy documents to determine whether Title VI is appropriately addressed and implemented department-wide.

**Civil Rights Programs Coordinator:**

- Assists the Title VI/EJ/ADA manager and the Intermodal Civil Rights manager with implementation of the nondiscrimination programs within OECR.
- Provides training, support, and outreach to ODOT staff and ODOT interest groups.
- Assists with data coordination and analysis, tracking concerns, and supporting customers and interested parties.

### **Civil Rights Field Coordinators:**

- Serve their assigned regions to help ODOT provide statewide support throughout Oregon's five geographical regions.
- Serve as liaison between the Office of Equity and Civil Rights and regional planning and development, construction, maintenance, and operations staff.
- Provide assistance, guidance, and training to regional programs pertaining to planning, monitoring, training, evaluation, reporting of disadvantaged business enterprise (DBE), emerging small business (ESB), equal employment opportunity, Title VI, and workforce development.
- Facilitate internal pre-construction (pre-con) meetings; review affiliated information and document in the data tracking system; review DBE forms for accuracy and completion.
- Assist in responding to inquiries from the partner agencies and the public, including referring inquiries to OECR Title VI Program staff as necessary.
- Assist in fact-finding as necessary during investigations and take action to mitigate potential Title VI complaints in their regions.

Additionally, **Title VI Subject Matter Experts (SMEs)** based within key ODOT organizational sections and program units participate in Title VI implementation, monitoring and reporting in collaboration with OECR staff. Functions and objectives for this role are discussed in the next section in this document under the *Program Area Review Procedures* section.

**The Director of ODOT has ordered that the Title VI Program Manager has direct and unfettered access to contact and/or meet with them when there is a civil rights concern that needs to be brought to their attention, whether internal to ODOT or through our external partners, customers or contractors.**

Under this policy, the Program Manager does not need any other organizational or managerial approval and has full staff support to work directly with the Director of ODOT to address civil rights matters. The Title VI Program Manager serves as ODOT's Title VI Coordinator. As Coordinator, the Program Manager will receive the full participation and cooperation of affected ODOT staff, as needed, in implementing ODOT's Title VI compliance activities, including compliance with 49 C.F.R. part 21 (Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation -- Effectuation Of Title VI Of The Civil Rights Act Of 1964).

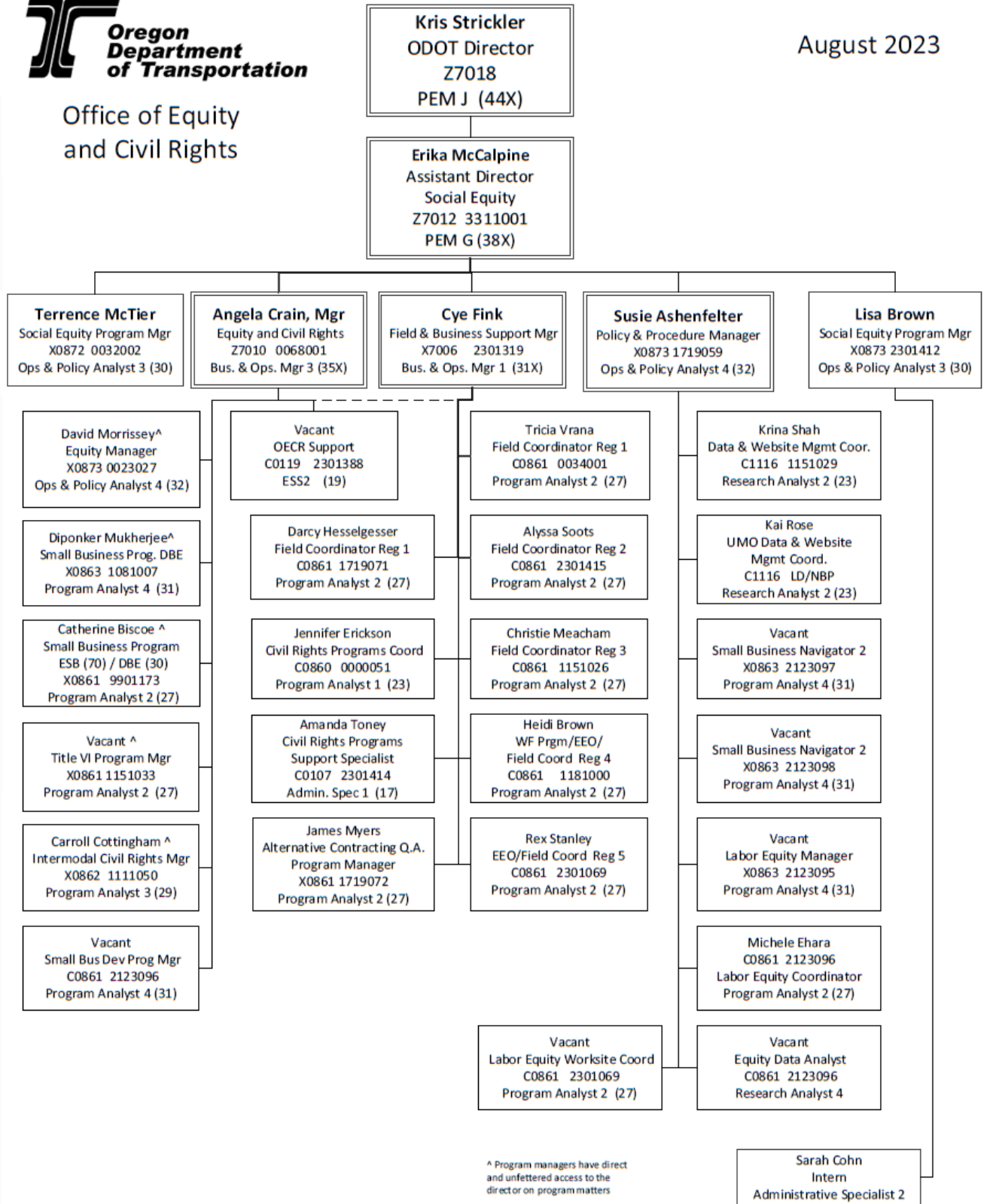
The following organizational chart illustrates the position of the Office of Equity and Civil Rights within the Office of Social Equity and these programs' relationship to the Office of the ODOT director.





Office of Equity  
and Civil Rights

August 2023



^ Program managers have direct and unfettered access to the director on program matters

## **PROGRAM AREA REVIEW PROCEDURES**

The Office of Equity and Civil Rights Title VI program staff reviews ODOT programs and organizational sections to assess compliance, support nondiscrimination enforcement through technical assistance and reporting, and identify opportunities for systems improvement, including through training.

OECR staff also work in partnership with Title VI Nondiscrimination **Subject Matter Experts (SMEs)**, based in key program areas across the agency, who serve as focal points for nondiscrimination information and compliance practices within their program. The positioning of Title VI SMEs within the agency is a collaborative strategy for implementing, monitoring and reporting Title VI functions, including language access for people with limited English proficiency (LEP) throughout the year.

## **INTERNAL REVIEW PROCEDURES**

### **Scheduling**

The internal monitoring program is designed to reach the public facing ODOT program areas on a three-year cycle. This means that each program area will undergo an assessment for compliance with Title VI obligations at least once every three years. However, some years, two program areas will be reviewed to keep internal reviews to a three-year cycle. The cycle is structured as follows:

- Year One: Construction
- Year Two: Right-of-Way (ROW)
- Year Three: Geo-Environmental

The schedule is flexible based on the following factors:

- Complaints
- Staffing changes
- Changes in protocol, policies, and procedures
- Rollout of projects
- High impact projects
- New legislation

### **Procedure**

Programs scheduled for review will be notified in writing at least 60 days in advance to coordinate a date that ensures the attendance of key leadership. The notice of review will include a compliance review questionnaire that programs are required to complete in writing and return 30 days prior to the scheduled on-site review.

The Title VI staff will review the response to the questionnaire during the desk review process in advance of the on-site review. The on-site review will be conducted over a one-day period and consist of an introductory meeting, review of files and documentation, staff interviews, and an exit meeting. One day should be sufficient since we monitor compliance throughout the year. However, the number of days for the on-site review could increase, if warranted.

A Determination of Findings will be issued within a 30-day period following the exit meeting. A copy of the findings will be provided to the key leadership of the program being reviewed. No action on the part of the program will be required on findings of compliance unless a condition of compliance is specified. However, programs found noncompliant will require a Corrective Action Plan to overcome noted deficiencies in the Determination of Finding. The Corrective Action Plan will be due within a period not to exceed 90 days. If it is determined that the matter cannot be resolved voluntarily, action will be taken to escalate compliance by engaging senior ODOT leadership.

## **Methodology**

The assessment process is designed to give ODOT Title VI staff an opportunity to understand the business practices of each program area and to identify areas of improvement and corresponding corrective actions. This is accomplished through the following methods listed below:

### **Desk Audits**

By requesting and reviewing the documents used by ODOT's program areas, the Title VI staff can determine the extent to which Title VI activities are woven into the activities of those units. This review looks primarily for the presence of standard Title VI assurance language, as needed. This is also an opportunity for ODOT's Title VI staff to identify opportunities for Title VI data gathering and/or training opportunities.

### **Interviews**

ODOT's Title VI staff relies on in-person interviews of program area staff to determine the extent of compliance with Title VI obligations. These interviews will include managerial and frontline staff. It is critical for managers to be sufficiently trained on Title VI principles to articulate its importance to their staff and to instruct on how adherence to Title VI is demonstrated throughout the program area. It is equally important that front-line staff be able to articulate the ways in which Title VI activities are a part of their course of business as well as the resources available to address Title VI concerns by members of the public.

### **Shadowing**

This describes instances where ODOT's Title VI staff will accompany program area staff on their business meetings and public engagement to better understand the nature of the work and to monitor staff for compliance with Title VI obligations.

### **Technical Assistance**

ODOT's Title VI staff provides technical assistance on Title VI compliance across the agency. This can include identifying language needs in impacted communities, informing reasonable accommodation interactive process, developing new methods of data collection and analysis, and providing recommendations on new Title VI related questions and issues. Technical assistance can be directed at the request of program area staff or via trainings throughout the agency. These interactions and trainings will gauge current levels of Title VI compliance throughout the agency as well as areas for improvement.

## **Attendance at Public Outreach Events**

By attending public outreach events, such as public hearings, meetings, and information sessions, ODOT's Title VI staff can observe program area staff in their direct interactions with members of the public. This gives the Title VI staff an opportunity to identify any needs or additional training and to ascertain the effectiveness of Title VI related request processes (such as language services and reasonable accommodations). Attending these sessions also provides an opportunity to learn of project-level community concerns that may be Title VI related.

## **Outcome**

The internal assessment process culminates in the development of specific work plans to examine possible deficiencies and identify areas of improvement in the Title VI activities of ODOT's programs, with specific timeframes for deliverables and action items. ODOT's Title VI staff drafts these tailored work plans immediately following the close of assessment activities. Once developed, an exit interview with management and staff is arranged. These sessions afford the opportunity for Title VI staff to explain the content/purpose of work plans as well as schedule technical assistance sessions, if required, and to establish cycles and methodologies for program areas to report on and demonstrate their progress to address all work plan items. The intervening years between assessments consist of Title VI staff providing both planned and ad hoc technical assistance and training, meeting regularly with program leadership and staff to track progress on work plan items, and monitoring the programs, services, and activities of program areas for Title VI compliance.

ODOT's mission is to provide a safe and reliable multimodal transportation system that connects people and helps Oregon's communities and economy thrive. To measure the effectiveness of the program and ensure mission advancement, ODOT monitors and collects program data related to transportation issues.

The following describes the various program areas, the activities conducted, and the data reviewed for nondiscrimination and the key organizational sections engaged in ongoing Title VI compliance, data collection and reporting, and related content development:

### **Construction:**

ODOT's Construction Section leads and administers continuous improvement of the roads, highways, and bridges through the statewide construction program. The Construction Section:

- Partners with local entities to ensure successful construction and project delivery for the local agency construction program.
- Gathers data illustrating minority, disadvantaged, emerging small business entities participating in construction contracts and subcontracts.
- Ensures that Appendix A of the FHWA Standard Assurances for Title VI and other Nondiscrimination statutes and regulations are all included in prime contracts and consultant agreements.

- Ensures that prime contractors include the FHWA Standard Assurances in all subcontracts, regardless of tier.
- Collaborates with the Office of Equity and Civil Rights in outreach and training efforts to address labor compliance with contractors doing business with ODOT.

#### **Driver and Motor Vehicle Services:**

ODOT's Driver and Motor Vehicle Services (DMV) has a significant volume of direct interaction with Oregonians. DMV strives to provide excellent service to all customers regardless of race, color, national origin, sex, age, disability, income and limited English proficiency. Oregon DMV:

- Provides the noncommercial driver license knowledge test in seven languages.
- Employs 196 bilingual employees in key positions and with language skills necessary for assisting their diverse customer base.
- Offers the online Oregon Driver Manual in HTML format for ease of use with web-based translation programs.
- Maintains field offices that comply with ADA accessibility requirements.
- Works closely with ODOT's Office of Equity and Civil Rights to resolve concerns and complaints received from customers.
- Learns from specific cases to identify if additional employee training is needed.

#### **Maintenance and Operations:**

The Maintenance and Operations Branch leads and supports highway maintenance activities throughout the state by developing and implementing programs to ensure efficient, effective, and consistent maintenance of Oregon's transportation infrastructure. The Maintenance and Operations Branch:

- Ensures that the development and implementation of the Maintenance Program is compliant with Title VI/Nondiscrimination requirements.
- Periodically reviews its processes to ensure the Maintenance Program is being implemented in a nondiscriminatory manner.

#### **Geo-Environmental Program:**

The National Environmental Policy Act (NEPA) is a broad-reaching mandate for federal agencies to work together with state, local, and tribal governments, public and private organizations, and the public, to achieve and balance social, economic, and environmental goals. ODOT's NEPA program:

- Develops and provides guidance and tools for region NEPA staff to adequately address environmental justice (EJ), Limited English Proficiency (LEP) and other FHWA directives as required.

- Uses training and current knowledge to address NEPA and other environmental laws related to historically underserved communities.
- Ensures NEPA processes and FHWA-ODOT established exemptions are followed when conducting detailed environmental justice analyses.
- Assists in determining which NEPA classified projects meet the established exemption conditions in the project's affected communities.

**Policy, Data, and Analysis:**

The Policy, Data, and Analysis Division develops the long-term statewide transportation system plans and guidance documents affecting Oregon transportation agencies and planners. They work with the Oregon Transportation Commission (OTC) to establish a vision and policy foundation to guide transportation system development and investments. The Division provides:

- Statistical data on race, color, national origin, age, disability, and sex of participants in attendance at public participation opportunities.
- Data relating to LEP populations including census analysis, surveys, public meetings, focus groups, and online open house sources.
- Information on demographics of members of advisory councils and policy boards.
- Public involvement opportunities (hearings, open houses, public meetings) including special outreach to minority and low-income populations.
- Alternative language translations for vital documents and communicating with LEP populations.
- Support for requests for accommodation at public meetings.
- Assurance that all state planning and research (SPR) and metropolitan planning funds (PL) used for research are awarded in a nondiscriminatory manner.
- Assurance that statewide plans are developed in an open, transparent and inclusive process.

**ODOT Procurement Office:**

The ODOT Procurement Office (OPO) collaborates with the Office of Equity and Civil Rights to provide training, tools, and engagement/outreach opportunities promoting small businesses, equity and inclusion, and to ensure nondiscrimination in the provision of solicitations. The Procurement office:

- Ensures that all procurement solicitation and contract documents include the Title VI nondiscrimination provisions.
- Ensures competition in all publicly advertised solicitations is fair and open.

- Ensures procurement mechanisms for language access services, such as interpretation and translation, are understood by OPO staff for guiding other ODOT offices when requested.
- Actively seeks engagement/outreach/networking opportunities (such as Capitol Connections, Governor’s Marketplace, etc.)
- Follows procurement processes and data reporting agreed to by OECR and OPO related to the Disadvantaged Business Enterprise (DBE) Program
- Assist with processes related to the Emerging Small Business (ESB) Program.
- Participates in the Subject Matter Expert Title VI and LEP Program.

**Right of Way:**

The Right of Way section provides expertise in real estate to ODOT. They are responsible for the appraisal, acquisition, and management of property acquired for public projects. The Right of Way section:

- Provides demographic data on relocatees and shares annual reports with FWHA and the ODOT Office of Equity and Civil Rights.
- Maintains database records regarding approved relocation and acquisition consultants and appraisers. All ODOT consultants performing relocation or appraisal activities are vetted and preapproved; consultants and local agency staff performing acquisition tasks are preapproved by the Region Right of Way Manager.
- Provides supporting data that illustrates required objectivity when valuing property for ODOT appraisal reports. Appraisal reports are reviewed and approved for accuracy and compliance.
- Implements standard FHWA Standard Assurances for Title VI and other Nondiscrimination statutes and regulations.
- Ensures management, appraisers, the appraisal review process, relocation/condemnation liaisons, and the FHWA Right of Way Liaison all support Title VI compliance.

**Statewide Project Selection & Delivery:**

Project selection results from a variety of processes and organizational units, including Planning, Procurement, and region-based project management and public engagement staff. Processes include community involvement, problem and solution identification, prioritization, development of area programs, as well as system planning programs described below. Compliance responsibilities include:

- Ensure community involvement processes and techniques are designed to surface potential Title VI issues in the project selection phase.

- Ensure that DBEs have maximum opportunity to compete for and participate in consultant contract work.
- Where appropriate, make special efforts to contact and involve historically marginalized communities and low-income groups (population) in the project selection phase.

### **Transportation Safety:**

The Transportation Safety unit provides data-driven solutions and education to encourage safe practices to save lives and reduce injuries and costs related to crashes on Oregon roads.

Transportation Safety:

- Ensures subrecipients receiving federal funds include the Title VI Assurances.
- Ensures that all Project Development phases for Safety projects follow the same processes that non-Safety projects follow.
- Ensures the development of the Highway Safety Improvement Plan (HSIP), Strategic Highway Safety Plan (SHSP), TSAP, and other Safety related documents requiring public input are developed according to ODOT's Public Participation Process.

### **Commerce and Compliance Division:**

CCD implements Title VI through a supplemental plan submitted annually to the Federal Motor Carrier Safety Administration (FMCSA) and works in partnership with the Office of Equity and Civil Rights to fulfill the requirements and activities outlined in the plan. ODOT's 2024 FMCSA Title VI Supplemental Plan is available here:

[https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non\\_Dis\\_Main\\_List/EditForm/ODOT-Title-VI-Compliance-FMCSA-Supplement.pdf](https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non_Dis_Main_List/EditForm/ODOT-Title-VI-Compliance-FMCSA-Supplement.pdf).

The plan provides detailed information regarding:

- Motor carrier safety compliance processes, including partnerships with law enforcement agencies to conduct on-highway commercial vehicle/driver inspections.
- Commercial Motor Vehicle Inspection Selection & Unbiased Enforcement Policies.
- Subrecipient compliance monitoring and reporting processes.
- Staff training in Title VI and related nondiscrimination policies.
- Public notification of nondiscrimination policies.
- Public safety education and awareness campaigns in partnership with the ODOT Transportation Safety Division.
- ODOT's discrimination complaint channels for filing and procedures for resolution.



## **SUBRECIPIENT MONITORING PROGRAM**

All subrecipients of federal funding through ODOT are subject to Title VI compliance reviews. Subrecipients include metropolitan planning organizations (MPOs) and local public agencies (LPAs) like cities and counties. Their responsibilities include maintaining Title VI Implementation Plans and annually reporting their program accomplishments. Moreover, contractors who perform work at the direction of subrecipients must agree to comply with federal nondiscrimination laws and applicable regulations.

Annually, the Title VI Manager conducts up to four external compliance reviews of ODOT subrecipients. At a minimum, two LPA reviews and one MPO review will take place each year. A Title VI compliance review consists of multiple processes. First, a desk review involves examining a subrecipient's self-completed questionnaire and their agency's Title VI implementation plan. Second, ODOT's Office of Equity and Civil Rights representatives conduct a panel review and discussion online or on site with the subrecipient agency's staff.

Critical elements for Title VI program reviews include signed FHWA Assurances for Title VI and other Nondiscrimination statutes and regulations at least every three years; the application of Title VI Nondiscrimination Assurance annexes in all solicitations for bid requests, proposals, prime and sub contracts, including the FHWA-funded Project Agreement paragraph; identification of a Title VI Coordinator; a Title VI Implementation Plan that is updated every third anniversary year of the original approved Plan; data-informed planning and public participation strategies, including in service to LEP individuals; and a complaint process that ensures prompt processing, investigation, and resolution.

**ODOT's Certification Programs Office (CPO)** collaborates with OECR to ensure the compliance of certified LPAs in Oregon. OECR tracks which subrecipients comply with the federal requirements found in Title 23, CFR Part 200.0 (b) (11) and shares that information with the CPO. Additionally, a new database tool has been developed to track each Title VI Plan and Annual Accomplishments Report submitted to OECR. This information is shared with the Local Agency Certification Program staff for up-to-date and accurate LPA information.

**ODOT's Commerce and Compliance Division (CCD)** monitors Title VI compliance of subrecipient agencies participating in ODOT's Motor Carrier Safety Assistance Program, in adherence with policies set forth by the Federal Motor Carrier Safety Administration. CCD has developed a supplement to this Title VI implementation plan detailing the ODOT's motor carrier compliance functions. The 2024 supplement is available here:

[https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non\\_Dis\\_Main\\_List/EditForm/ODOT-Title-VI-Compliance-FMCSA-Supplement.pdf](https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non_Dis_Main_List/EditForm/ODOT-Title-VI-Compliance-FMCSA-Supplement.pdf)

ODOT subrecipients are charged with Title VI responsibilities such as submitting a Title VI Plan and an Annual Accomplishment Report. The Title VI Program Manager communicates annual Title VI reporting requirements to subrecipients through training events and written communications. ODOT's Title VI technical assistance supports functional compliance, timely annual report submission and statewide capacity building for nondiscrimination.

## DATA COLLECTION AND ANALYSIS METHODS

Collecting Title VI nondiscrimination and community demographics data is crucial for examining whether burdens disproportionately impact specific populations. Each organizational area will collect and review respective data for reporting purposes. Similarly, collected data can identify trends or patterns to suggest training needs and other issues. Data analysis also provides a measure of monitoring to ensure ODOT's services, projects, and programs address nondiscrimination.

Examples of relevant data collection include:

- Statistical data on race, national origin, age and sex.
- Statements of disability of participants in and beneficiaries of ODOT programs based on surveys and questionnaires completed by impacted individuals.
- The number of complaints filed each year and the outcomes reached.
- Summary statements (final reports) of compliance reviews.
- Training and technical assistance provided.
- Public engagement processes.
- Diversity of community representation on public advisory boards.

ODOT uses both qualitative and quantitative data to inform decision-making. Applied data sources include:

**EJScreen** - <https://ejscreen.epa.gov/mapper/>

- The Environmental Protection Agency (EPA) developed a tool to identify EJ disparities in US populations. The tool utilizes the US Census and the American Community Survey to calculate demographic data through GIS. The software analyzes demographic and environmental factors from the area of study. It compares them to different geographic locations, states, or the rest of the US to answer whether environmental values are rare or common.

**ODOT DBE Disparity Study** - <https://www.oregon.gov/odot/Business/OCR/Pages/Disadvantaged-Business-Enterprise.aspx>

- Beginning in 2021, ODOT contracted with Keen Independent Research to develop a disparity study that would analyze whether there is a level playing field for minority- and woman-owned businesses in the Oregon transportation contracting industry. The Draft 2022 DBE Disparity Study Report and ODOT's Proposed FHWA Overall DBE Goal FFY 2023-2025 are now available. It calculates the relative availability and participation of minority- and women-owned firms in ODOT's contracts. It also provides recommendations and specific steps to foster the utilization of all small businesses in ODOT contracting and programs specific to DBEs.

**TransGIS** - <https://gis.odot.state.or.us/transgis/>

- The application presents an interactive map format offering multi-level views of Oregon's transportation system needs and accomplishments. TransGIS content includes transportation management system data, asset inventory, Statewide Transportation Improvement Program (STIP) projects. Also, environmental data is accessible for analysis, planning, and research needs (Limited English Proficiency is not a function of this application.)

**ODOT ADA CQCR Database** – Accessible to ODOT staff

- ODOT maintains a database of customer-submitted accommodation requests and inquiries related to the Americans with Disabilities Act. The ADA Comments, Questions, Concerns or Requests (CQCR) system facilitates timely customer response, solution-focused processes, and analysis for effective ADA implementation monitoring and reporting.

**ArcGIS Social Equity Map** -

<https://geo.maps.arcgis.com/apps/View/index.html?appid=bbd3d9861fcd40ffa4085d457e4361a7>

- The Social Equity Map is an ArcGIS geographical tool that analyzes recent block group data from the American Community Survey. It estimates the degree to which Oregonians may be experiencing less than excellence in service and public service investments. This tool assists with improving ODOT's equitable transit decisions that impact the quality of life for Oregon's vulnerable populations by examining the age, disability, poverty status, limited English proficiency, and non-white population of communities.

**REMIX Transportation Planning Tools** – Accessible to ODOT staff

- REMIX is an online data management tool that examines impacts in public transportation design and informs planning decisions. REMIX allows users to map Census demographic variables alongside other real-time transportation datasets for specific geographic areas useful in Title VI applications. ODOT offers statewide REMIX access for approved internal staff and public transportation providers and funding recipients to access the application.

Other relevant data collected will vary depending on each program area. Each organizational area Subject Matter Expert will work with staff in their respective area to gather data for reporting purposes. The SME will analyze the data to assist the Title VI Program Manager in identifying training needs and any compliance issues that may require addressing.

## TRAINING

OECR provides Title VI training and technical assistance opportunities for both ODOT internal staff and external partners. Diverse interest groups such as LPA's, regional Civil Rights Field Coordinators, and federal partners like FHWA regularly attend the OECR training events. OECR provides responsive training solutions to the core elements of Title VI and other civil rights programs, including subrecipient compliance, Disadvantaged Business Enterprises, Americans with Disabilities Act implementation, and language access for LEP individuals. OECR's training events include:

- Title VI Implementation Planning and Reporting.
- Nondiscrimination for New Employees of the Commerce & Compliance Division.
- Title VI Compliance Framework Training for Subject Matter Experts.
- Title VI & ADA Complaint Disposition Practice for Subrecipients (in development).
- Language Access for LEP: Census Data Review and Implementation Planning.
- Environmental Justice Foundational Concepts for ODOT staff.

Nondiscrimination Subject Matter Experts (SMEs) engage in Title VI training planning and design processes in their respective offices. Their guidance ensures OECR's training capacity serves ODOT organizational sections with correct information and procedures.

## COMPLAINT DISPOSITION PROCESS

ODOT has a unified discrimination complaint procedure for receiving formal complaints under Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act, and related authorities. The process for filing a complaint is posted on the ODOT web page about the Title VI program, a link to which is posted in the footer of all ODOT web pages, as well as a QR code on public posters. Web-based and PDF Discrimination Complaint Forms are also available on the Title VI program page.

- **ODOT Nondiscrimination/Title VI Program page**  
<https://www.oregon.gov/ODOT/Business/OCR/Pages/Non-Discrimination.aspx>
- **Discrimination Complaint Process Overview (English)**  
[https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non\\_Dis\\_Main\\_List/EditForm/ODOT\\_DIS%20CMPLNT\\_PRCSS\\_2020.pdf](https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non_Dis_Main_List/EditForm/ODOT_DIS%20CMPLNT_PRCSS_2020.pdf)
- **Discrimination Complaint Process Overview (Español)**  
[https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non\\_Dis\\_Main\\_List/EditForm/ODOT-Discrimination-Complaint-Process-SPA.pdf](https://www.oregon.gov/odot/Business/OCR/SiteAssets/Lists/Non_Dis_Main_List/EditForm/ODOT-Discrimination-Complaint-Process-SPA.pdf)
- **Web-based Discrimination Complaint Form**  
[https://www.oregon.gov/odot/Business/OCR/Pages/DIS\\_CMPLNT\\_FRM.aspx](https://www.oregon.gov/odot/Business/OCR/Pages/DIS_CMPLNT_FRM.aspx)
- **PDF Discrimination Complaint Form (English)**  
<https://www.oregon.gov/odot/Forms/2ODOT/7345008.pdf>
- **PDF Discrimination Complaint Form (Español)**  
<https://www.oregon.gov/odot/Forms/2ODOT/7345008S.pdf>

The Discrimination Complaint Process Overview informs members of the public that they have a right to file a complaint with ODOT if they feel they have been discriminated against on the basis of a protected class. The overview also informs complainants of their right to file with outside enforcement agencies, the right to appeal, and the prohibition against retaliation by ODOT staff. Complaints must be filed within 180 days of the alleged discriminatory event or practice and are requested in writing, but complainants may contact the Office of Equity and Civil Rights if they need assistance, alternate formats, or translation. ODOT will confirm receipt of the complaint within 10 working days and complete its investigation within 60 days.

FHWA's [Procedures Manual for Processing External Complaints of Discrimination](#) provides model procedures for investigating and resolving the complaints. Complaint disposition includes investigation of a complaint if ODOT determines that an investigation is warranted.

The ODOT Office of Equity and Civil Rights maintains a secure log of complaints with potential Title VI implications. It includes a summary of those complaints in its annual Title VI Goals and Accomplishments Report to the Federal Highway Administration. This log contains the name of the complainant; the basis of the complaint (i.e., race, color, national origin, age, sex, disability, income level, or Limited English Proficiency.); allegation(s); complaint date; date of Report of Investigation; determination made and date; and any other relevant information as deemed appropriate. ODOT also maintains case files of complaint investigations.

ODOT shall make case files and the complaint log available to the Federal Highway Administration upon request. If dissatisfied with how ODOT disposed of their complaint, a Complainant may file a separate complaint with FHWA or other relevant modal units of USDOT.

## **DISSEMINATION OF TITLE VI INFORMATION**

A poster notifying ODOT employees of its nondiscrimination policy is available in multiple languages. Copies of the annually updated posters are in the appendix at the end of this document. The poster illustrates ODOT's nondiscrimination policy in compliance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. It provides additional information for filing complaints of discrimination. The updated poster is disseminated annually to all ODOT facilities for public display.

ODOT's [website](#) displays its nondiscrimination policy statement. ODOT's website is compliant with Section 508 of the Rehabilitation Act of 1974 and accessible to visitors with disabilities. The website provides submission forms for filing complaints under Title VI and the Americans with Disabilities Act. **A toll-free discrimination complaint phone line, 855-840-6655**, is also disseminated online and through various ODOT printed materials, including a QR code on Title VI notification posters. All ODOT representatives participating in project delivery are responsible for fostering effective public involvement.

Accordingly, the methods used to include the public will vary based on the composition of the population impacted by the project. Planning, Project Development, Right-of-Way, NEPA and other program areas implement public involvement based on the needs within the program area. Regardless of the strategy, a Public Involvement Plan is required for each project.

ODOT's core objectives in carrying out its public participation obligations include:

- Tailor outreach to underrepresented groups such as minority, low-income, elderly, and disabled populations to gather input to determine the targeted community's issues and concerns.
- Ensure outreach is translated to reach limited English proficient populations.
- Maintain a record of all updates or significant changes to the project based on information obtained through public engagement.

Providing access for persons with disabilities is key for ODOT projects. ODOT teams and public information officers use the nondiscrimination policy statement, offer the availability of reasonable accommodations, inform the public of their rights in transportation planning processes, announce construction project updates, and hold public participation events.

Oregon employs several guidelines for inclusive public involvement:

- **ODOT Public Involvement Policy**, Oregon Transportation Commission-11, October 2020. [https://www.oregon.gov/odot/Planning/Documents/OTCpolicy\\_policy\\_Final\\_for\\_public\\_posting.pdf](https://www.oregon.gov/odot/Planning/Documents/OTCpolicy_policy_Final_for_public_posting.pdf). This 2020 Public Involvement Policy provides policy direction applicable to the Public Involvement Policies and Procedures adopted by the Oregon Transportation Commission.
- **ODOT Project Delivery Leadership Team Operational Notice** – June 25, 2015 [https://www.oregon.gov/ODOT/Engineering/Doc\\_TechnicalGuidance/PDLTNotice12.pdf](https://www.oregon.gov/ODOT/Engineering/Doc_TechnicalGuidance/PDLTNotice12.pdf). This 2015 Project Delivery Leadership Team Operational Notice provides guidance in Project Management and Public Involvement Expectations for Project Delivery.

This plan and the following guidelines strive to aid local jurisdictions in preparing or updating their transportation system plans:

- **Statewide Transportation Improvement Program (STIP) 2021-2024** <https://www.oregon.gov/ODOT/STIP/Pages/index.aspx>  
ODOT provides a 45-day public review period of the draft STIP and a 45-day public review period for any significant revisions.
- **Oregon Transportation Plan Goals, Policies and Strategies** <https://www.oregon.gov/ODOT/Planning/Pages/Plans.aspx>  
Provide equal access to public information and decision-making about transportation planning, financing, construction, operations and maintenance activities.

The development of each STIP involves early citizen participation. Citizens can get involved in the transportation planning process in their community and influence what projects are included in adopted plans. Local plans that are used to prepare the STIP include:

- City and county transportation system plans (TSP).
- Regional transportation plans for metropolitan areas (RTP).
- Transit agency plans.
- Tribal government transportation improvement plans (TIP).
- ODOT facility plans.

ODOT accomplishes significant public involvement on project selection for STIP through collaborations with Area Commissions on Transportation (ACTs) and Metropolitan Planning Organizations (MPOs). ACTs provide a critical communication link for ODOT with local governments, the business community and the public. Federal agencies, tribal governments, and local officials, including MPOs, are members of an ACT. For regional and local planning, planners should maintain a customized list with appropriate local representatives of these groups.

The following agencies and interest groups are involved in project selection and the STIP development process:

- Area Commissions on Transportation (ACT).
- Cities and counties.
- Federal agencies.
- Freight Advisory Committee (FAC).
- Indian tribal governments.
- Metropolitan Planning Organizations (MPO).
- ODOT program advisory groups.
- Transit districts, port districts.

OECR staff collaborate with the Planning and Communications units of ODOT. They assist in reviewing public participation plans and outreach tools within ODOT to enhance capabilities and foster inclusive processes for public involvement.

## **LIMITED ENGLISH PROFICIENCY**

Protection from discrimination based on national origin is a component of Title VI implementation. Thus, language access is provided for Limited English Proficiency (LEP) populations to benefit from or have access to federally conducted and funded involved programs, including activities, facilities, and services.

The ODOT **Limited English Proficiency Plan** was adopted in 2010 to provide ODOT divisions and business lines with guidelines and resources to help fulfill ODOT's commitment to the LEP populations. The plan aims to establish how ODOT will assess the relevance of the LEP programs executed by the agencies and organizations that are ODOT subrecipients of Federal Highway Administration funds.

In developing the plan, OECR aims to provide a framework to help ODOT Program, Region and Area Managers, and ODOT subrecipients better serve Oregon's LEP members. The plan includes providing the 2017 U.S. Census Bureau American Community Survey demographic state profile, completing the Four Factor Analysis for Language Access, and describing resources available to procure interpretation and translation services. ODOT Directors, Division Administrators, and managers develop meaningful services for LEP persons in their respective divisions, programs and regions. Additionally, region-based OECR Field Coordinators and Title VI Subject Matter Experts are available to provide guidance and referral to the Office of Equity and Civil Rights on matters relating to serving LEP individuals.

**ODOT's Limited English Proficiency Plan** was reissued with updated demographic data and other clarifying edits in 2020 and can be accessed online here:

[https://www.oregon.gov/odot/Business/OCR/Documents/FINAL\\_VI\\_LEP\\_PLAN.pdf](https://www.oregon.gov/odot/Business/OCR/Documents/FINAL_VI_LEP_PLAN.pdf)

## **REVIEW OF STATE TRANSPORTATION AUTHORITY DIRECTIVES**

Under the administration of the ODOT Director and the Assistant Director of Social Equity, OECR participates in policy development and review processes. Agency policies are submitted to the OECR Manager, particularly when identified as potentially implicating for Title VI, the Americans with Disabilities Act, or related authorities. The OECR Manager tasks relevant OECR Program Managers and other staff to review the processes and conduct the necessary research for evaluation. Evaluated policies are returned with comments to the Office of Equity and Civil Rights and the originating department. The ODOT Office of the Director and the Oregon Department of Justice can be included for assistance in reconciling any unresolved implications or related staff concerns regarding policy directives and nondiscrimination issues, at the discretion of the Manager of the Office of Equity and Civil Rights or higher ODOT authority.



## **COMPLIANCE AND ENFORCEMENT PROCEDURES**

ODOT directors, division administrators, and other managers ensure the meaningful implementation of nondiscrimination protections under Title VI and related authorities in their respective program areas. ODOT managers monitor their programs for nondiscrimination staff training needs, patterns of discrimination, and accountability in ensuring compliance with Title VI and related authorities. The Title VI Program Manager in 2024 will continue to position and promote OECR for visibility as the agency's resource for addressing these critical concerns. The manager of OECR will continue to foster Title VI connectivity, accountability to agency leadership and management processes.

Additionally, regional Civil Rights Field Coordinators and Title VI SMEs provide guidance within their program areas. They assist OECR managers with Title VI implementation obligations, functions, and goal completion. Their assistance helps connect all individuals, including those with Limited English Proficiency, to have access to participate in meaningful ways in ODOT programs, activities, and services. ODOT regions and organizational sections' use the information and methodologies detailed in this Title VI Implementation Plan, as well as ODOT's LEP Plan document and related resources, to reflect ODOT's overall commitment to full compliance with Title VI.

# **APPENDICES**

## **APPENDIX 1: Signed Assurances**

### **The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances** **DOT Order No. 1050.2A**

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

#### **Statutory/Regulatory Authorities**

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

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

#### **General Assurances**

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

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

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

#### **Specific Assurances**

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

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

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

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

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


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

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

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

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

**Oregon Department of Transportation**

by   
(Signature of Authorized Official)

Printed Name: Travis Brouwer

Dated: September 22, 2023

## APPENDIX A

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

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

**Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the

contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## APPENDIX D

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

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

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

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



## APPENDIX E

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

### **Pertinent Non-Discrimination Authorities:**

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

## APPENDIX 2: Nondiscrimination Posters

ENGLISH



# Your Rights under Title VI of the Civil Rights Act and the Americans with Disabilities Act (ADA)

The Oregon Department of Transportation (ODOT) complies with the Civil Rights Act of 1964, the Americans with Disabilities Act, and other federal nondiscrimination authorities. These authorities prohibit discrimination based on race, color, national origin, age, disability, sex, income level, and Limited English Proficiency in ODOT's programs, activities, services, operations, delivery of benefits, and opportunities to participate.

To ensure equitable access, ODOT provides accessibility aids, translation, and interpretation services for all public events and vital documents, free of charge, upon request. You can obtain these services by providing reasonable advance notice.

- Need Title VI or ADA related assistance or information?
- Need translation of an ODOT publication?
- Need interpretation for an ODOT event or activity?
- Need an accessibility aid for an ODOT event or activity?
- Need to submit a discrimination or accessibility complaint?

### Please contact the ODOT Office of Civil Rights

Title VI Officer  
ODOT.TITLEVI@ODOT.Oregon.Gov

ADA Program Manager  
ODOT\_ADA@ODOT.Oregon.Gov

Toll Free: (855) 540-6655  
For an Interpreter: 711  
Internet Relay:  
<http://www.sprintip.com>  
Fax: (503) 986-6382



Scan for details



# Sus derechos conforme al Título VI de la Ley de derechos civiles y la Ley de estadounidenses con discapacidades (ADA)

El Departamento de Transporte de Oregon (Oregon Department of Transportation, ODOT) cumple con la Ley de derechos civiles de 1964, la Ley de estadounidenses con discapacidades (Americans with Disabilities Act, ADA) y lo establecido por otras autoridades federales contra la discriminación. Estas autoridades prohíben la discriminación por motivo de raza, color, origen nacional, edad, discapacidad, sexo, nivel de ingresos y dominio limitado del inglés en los programas, actividades, servicios, operaciones, entrega de beneficios y oportunidades para participar que brinda el ODOT.

Para garantizar el acceso igualitario para todos, el ODOT brinda asistencia y servicios de traducción e interpretación para todos los eventos públicos y los documentos públicos, sin cargo, a petición de los interesados. Puede obtener estos servicios si lo solicita con anticipación razonable.

- ¿Necesita asistencia o información relacionada con el Título VI o la ADA?
- ¿Necesita una traducción de una publicación del ODOT?
- ¿Necesita servicios de interpretación para un evento o actividad del ODOT?
- ¿Necesita asistencia con el acceso para un evento o actividad del ODOT?
- ¿Necesita presentar una queja por discriminación o por un problema de accesibilidad?

## Contacte a la Oficina de derechos civiles del ODOT

Director del Título VI  
ODOT.TITLEVI@ODOT.Oregon.Gov

Gerente del Programa ADA  
ODOT\_ADA@ODOT.Oregon.Gov



Línea gratuita: (855) 540-6655

Para un intérprete: 711

Servicio de retransmisión por Internet:  
<http://www.sprintip.com>

Fax: (503) 986-6382



Escanear para ver la información detallada





## **Ваши права согласно разделу VI закона «О гражданских правах» и по закону «Об американцах с ограниченными возможностями» (ADA)**

Департамент транспорта штата Орегон (ODOT) соблюдает закон «О гражданских правах» от 1964 г., закон «Об американцах с ограниченными возможностями» и другие федеральные постановления, запрещающие дискриминацию. Эти постановления запрещают дискриминацию на основе расы, цвета кожи, национальности, возраста, ограничения возможностей, пола, уровня дохода и ограниченного владения английским языком при участии в программах, мероприятиях или операциях департамента ODOT и при использовании его услуг, предоставляемых им льгот или возможностей.

С целью обеспечения равноправного доступа департамент ODOT бесплатно предоставляет по требованию в рамках всех общественных мероприятий средства доступа, услуги письменных и устных переводчиков, а также актуальные документы. Вы можете пользоваться такими услугами, заблаговременно известив о желательности их предоставления.

- Нуждаетесь ли вы в помощи или в информации, предоставляемых согласно разделу VI или по закону ADA?
- Нуждаетесь ли вы в письменном переводе материалов департамента ODOT?
- Нуждаетесь ли вы в устном переводе во время мероприятия департамента ODOT?
- Нуждаетесь ли вы в средстве доступа к мероприятию департамента ODOT?
- Желаете ли вы подать жалобу на дискриминацию или на непредоставление доступа?

### **Пожалуйста, обращайтесь в Управление по гражданским правам департамента ODOT**

Должностное лицо, ответственное за соблюдение раздела VI  
 ODOT.TITLEVI@ODOT.Oregon.Gov

Менеджер программы соблюдения закона ADA  
 ODOT\_ADA@ODOT.Oregon.Gov

Тел. (бесплатный вызов):  
 (855) 540-6655  
 Устный перевод: 711  
 Сетевая трансляция:  
<http://www.sprintip.com>  
 Факс: (503) 986-6382



Сканировать подробности



# Quyền của Quý vị theo Title VI của Đạo luật Dân quyền và Đạo luật Người Mỹ Khuyết tật (ADA)

Sở Giao thông Oregon (ODOT) tuân thủ Đạo luật Dân Quyền năm 1964, Đạo luật Người Mỹ Khuyết tật và các cơ quan không phân biệt đối xử khác của liên bang. Các cơ quan này nghiêm cấm hành vi phân biệt đối xử dựa trên chủng tộc, màu da, quốc gia xuất xứ, tuổi tác, tình trạng khuyết tật, giới tính, mức thu nhập và Trình độ Thông thạo Tiếng Anh Hạn chế trong các chương trình, hoạt động, dịch vụ, cung cấp quyền lợi và cơ hội tham gia của ODOT.

Để đảm bảo tiếp cận công bằng, ODOT cung cấp dịch vụ hỗ trợ tiếp cận, biên dịch và phiên dịch cho tất cả các sự kiện công cộng và các tài liệu quan trọng, miễn phí, theo yêu cầu. Quý vị có thể nhận được các dịch vụ này bằng cách cung cấp thông báo trước hợp lý.

- Quý vị cần được hỗ trợ hoặc xem thông tin liên quan đến Title VI hoặc ADA?
- Quý vị cần bản dịch của một ấn phẩm ODOT?
- Quý vị cần thông dịch cho một sự kiện hoặc hoạt động ODOT?
- Quý vị cần dịch vụ hỗ trợ tiếp cận cho một sự kiện hoặc hoạt động ODOT?
- Quý vị cần gửi khiếu nại về hành vi phân biệt đối xử hoặc khả năng tiếp cận?

## Vui lòng liên hệ với Văn phòng Dân Quyền của ODOT

Viên chức Title VI  
ODOT.TITLEVI@ODOT.Oregon.Gov

Quản lý Chương trình ADA  
ODOT\_ADA@ODOT.Oregon.Gov

Số Điện thoại Miễn phí:  
(855) 540-6655  
Để yêu cầu một thông dịch viên:: 711 Dịch vụ Tiếp âm  
Internet:  
<http://www.sprintip.com>  
Fax: (503) 986-6382



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thông tin chi tiết





# 您根据《民权法案》第六篇和《美国残疾人法案》(ADA) 享有的权利

俄勒冈州交通部 (Oregon Department of Transportation, ODOT) 遵守《1964年民权法案》(Civil Rights Act of 1964)、《美国残疾人法案》(Americans with Disabilities Act) 和其他联邦非歧视机构的规定。这些机构禁止 ODOT 的项目、活动、服务、运营、福利发放和参与机会中

存在基于种族、肤色、原籍国、年龄、残疾、性别、收入水平、英语水平有限的歧视。

为确保公平使用，ODOT 应要求为所有公共事件和重要文件免费提供无障碍辅助、翻译和口译服务。您可以通过提供合理的事先通知来获得这些服务。

- 需要与第六篇或 ADA 相关的帮助或信息？
- 需要 ODOT 出版物的译文？
- 需要 ODOT 事件或活动的口译服务？
- 需要 ODOT 事件或活动的无障碍辅助？
- 需要提交歧视或无障碍投诉？

请联系 **ODOT 民权办公室 (Office of Civil Rights)**

第六篇工作人员  
ODOT.TITLEVI@ODOT.Oregon.Gov

ADA 项目经理  
ODOT\_ADA@ODOT.Oregon.Gov

免费电话：(855) 540-6655

如需口译员服务：711 在

线聊天系统：

<http://www.sprintip.com>

传真：(503) 986-6382



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