

Multnomah County Transportation Division's

Title VI Program Plan

December 2025



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I. Introduction

Title VI of the Civil Rights Act of 1964 (“Title VI”) as amended, and several subsequent enactments by Congress prohibits discrimination based on age, disability, race, color, sex or national origin by any agency receiving Federal Funds. Other federal statutes include but are not limited to: the Federal-Aid Highway Act of 1973, the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Civil Rights Restoration Act of 1987.

All subrecipients that receive federal funds through the Oregon Department of Transportation (ODOT) are required to have a Title VI Program Plan. A Title VI Program Plan is a system of policies and procedures designed to monitor agency and sub-recipients’ compliance, address complaints, and seek to eliminate discrimination when found to exist. Title VI issues must be considered throughout the entire project process, from the very start of the program development to closure of the project.

Subrecipients must submit their Title VI Program Plan to ODOT and update it every three years. In addition, they are required to prepare and submit to the ODOT Title VI Program Manager a Title VI Annual Accomplishments Report (AAR). As a recipient of federal funds through ODOT, Multnomah County, Oregon (“County”) hereby establishes its Multnomah County Title VI Program Plan (hereinafter “Title VI Plan” or “Plan”).

II. Policy Statement, Authorities and Citations

A. Policy of Nondiscrimination

The County assures that no person shall on the grounds of race, color, national origin, sex, age, or disability as provided by Title VI of the Civil Rights Act of 1964 and related authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any County sponsored program or activity.

The County assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not. Sharing the Title VI Implementation Plan both internally and externally on the Sub-recipient’s website, through training, outreach and through email constitutes some of the ways the County distributes Title VI program information.

In the event the County distributes Federal aid funds to another entity, the County will include Title VI language in all written agreements and will monitor for compliance.

Title VI compliance is a condition of receipt for Federal funds. The County Civil Rights Administrator and Transportation Division Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law, including the requirements of 23 Code of Federal Regulation (CFR) 200 and 49 CFR 21.

B. Authorities

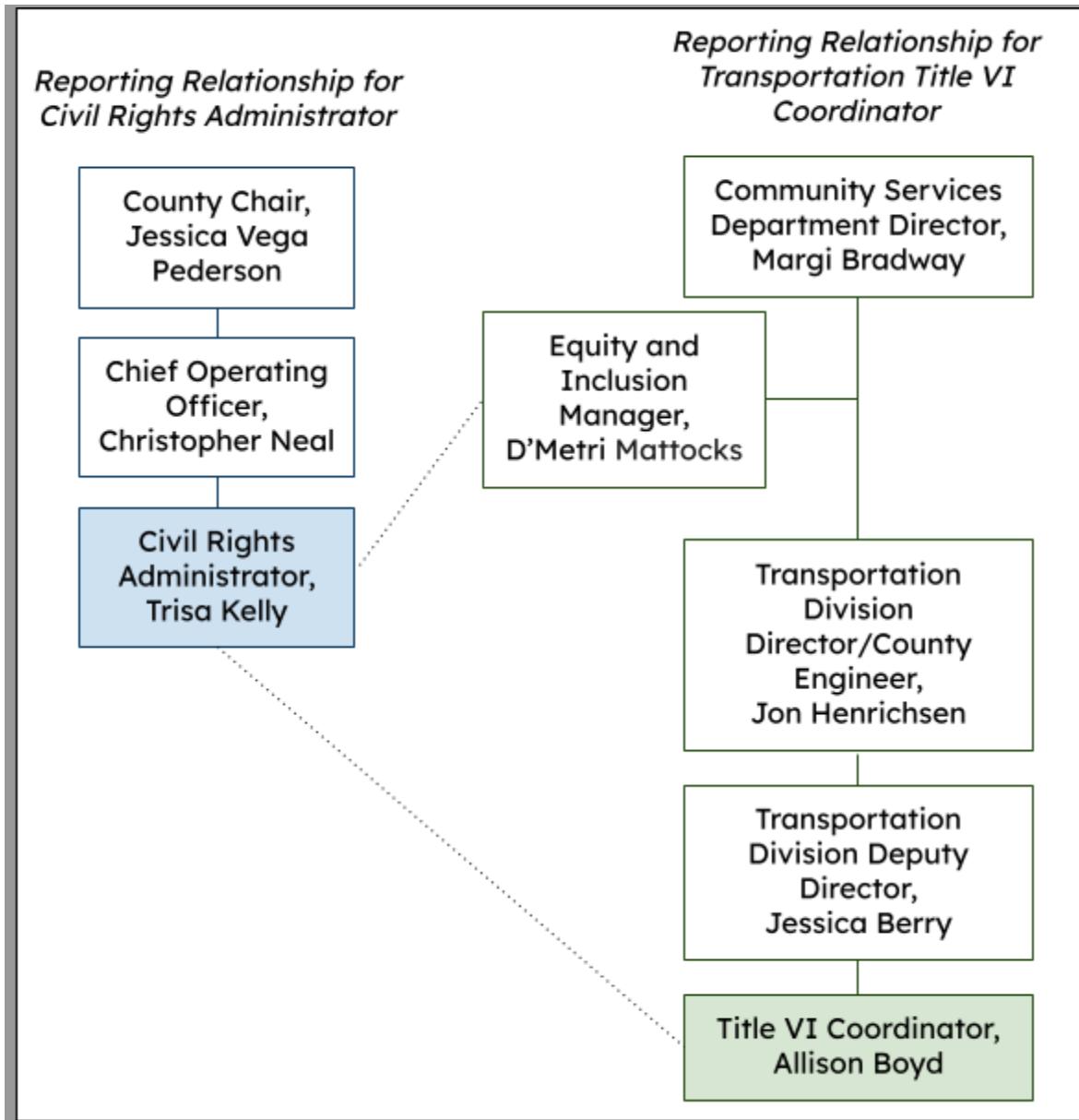
Title VI of the 1964 Civil Rights Act provides that no person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

C. Additional Citations

Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2A; EO 12250; 28 CFR 50.3

III. Organization, Staffing and Structure

A. Organizational Chart



B. Staffing and Structure

Civil Rights Administrator

The Multnomah County Civil Rights Administrator is authorized to ensure compliance with provisions of the County's policy of non-discrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. The County's grants

compliance function and Title VI coordination shall be performed under the authority of the Civil Rights Administrator.

Transportation Title VI Coordinator

The County has created a position of Transportation Title VI Coordinator (“Title VI Coordinator”) to ensure implementation of the County’s Title VI Federally Funded Transportation Program. The Title VI Coordinator has other duties and responsibilities in addition to Title VI compliance under which they report to their direct supervisor. For the purposes of implementing Title VI, this position has an indirect reporting relationship and access to the Civil Rights Administrator.

IV. Title VI Plan Implementation and Program Administration

As authorized by the Administrator, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring the County’s compliance with Title VI requirements for the County’s Transportation Division as follows:

1. **Program Administration.** Administer the Title VI program and coordinate implementation of the Plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing, and resources; provide recommendations as required to the Civil Rights Administrator.
2. **Complaints.** Work with the Administrator to coordinate review, routing, and logging of Title VI complaints received by the County relating to the Transportation Division, in compliance with the adopted procedural guidelines (see Section VI – Complaint Procedures).
3. **Data Collection.** Review the statistical data gathering process performed by Transportation Division staff periodically to ensure sufficiency of data for meeting the requirements of Title VI Program Administration. (See Section VII - Special Emphasis Program Areas).
4. **Environmental Impact Statements.** Ensure that available and applicable U.S. Census data are included as a part of all Environmental Impact Statements/Assessments (EIS/EIA) conducted by the Transportation Division for projects receiving Federal Highway Administration or other Federal assistance.
5. **Training Programs.** Conduct or coordinate training programs on Title VI issues and regulations for Transportation Division employees; and coordinate Title VI training for contractors and sub-recipients. A summary of training conducted will be reported in the AAR.

6. **Title VI Plan Update.** Review and update the Plan on a three-year cycle and when there are significant Title VI staff or process changes.
7. **Annual Accomplishment Report.** Prepare an annual report of Title VI accomplishments and changes to the program in the preceding fiscal year; identify goals and objectives for the upcoming year; and submit to ODOT Title VI Coordinator by October 1st.
8. **Public Dissemination.** Work with Communications and Transportation Division staff to develop and disseminate Title VI program information to Transportation Division employees, subrecipients, contractors, subcontractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements, and website postings. Work with Communications staff to ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.
9. **Elimination of Discrimination.** Work with the Office of Diversity and Equity (ODE) and other applicable County offices and/or departments to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in any County processes.
10. **Maintain Legislative and Procedural Information.** Federal laws, rules and regulations, ODOT guidelines, the current Title VI Plan, Annual Accomplishment Reports, and other resource information pertaining to the implementation and administration of the County's Title VI program will be maintained and updated by the Coordinator. Information will be made available to other County departments or the public as requested or required.

V. Education and Title VI Training

In keeping with the adopted County policy of nondiscrimination, departmental procedures will be followed for employees to have equal access to applicable educational and training opportunities. Transportation Division staff will maintain program administration documentation and data necessary for preparation of annual Title VI reports and will routinely supply the necessary data to the Title VI Coordinator.

- Ensuring overall Title VI related training and staff development for Title VI leads and other Transportation Division employees.
- Organizing or conducting a minimum of one internal Title VI training session annually.
- Organizing and facilitating the provision of Title VI training sessions for consultants, contractors, and subcontractors periodically.

VI. Complaint Procedures – Allegations of Discrimination in Federally Assisted Programs or Activities

A. Overview

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990 (ADA) as amended, relating to any program or activity administered by Multnomah County, as well as to consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law.

The procedures do not deny the right of the complainant to file formal complaints with other state or Federal agencies or to seek private counsel for complaints alleging discrimination. All complaints relating to the Transportation Division must be reported to the ODOT Office of Civil Rights Title VI/EJ/ADA Manager by the Sub-recipient's Title VI Coordinator and reported in the Sub-recipient's AAR. Once the Title VI complaint is received, ODOT will determine which federal administering agency has jurisdiction to investigate/process the complaint.

B. Procedures

1. Explanation of the Complaint (Grievance) Procedures.

The County has implemented a complaint procedure in compliance with the ADA and Title VI and related Federal enactments. Under the County's procedure the complaint will be identified and referred to as the "grievance."

Any person who believes they have been the subject of unequal treatment or discrimination on the basis of age, disability, race, color, sex, or national origin, may file a grievance with the Civil Rights Administrator for the County. This grievance procedure applies to grievances arising from any program, service, activity, or benefit of the County or its sub-recipients. The County's Personnel Policy governs employment-related complaints of discrimination.

This grievance procedure is an administrative process that does not provide for compensatory or punitive damages. This procedure is not a confidential process; there

is no expectation of confidentiality or privacy in any written or oral communication resulting from, created, or exchanged during this process.

The County's grievance procedure under the Plan is not exclusive. A person filing a grievance with the County (the "Grievant") may also file a complaint with other state or federal agencies or the courts. Other agencies have time limits for filing complaints. This process does not protect or extend those time limits. Federal agencies require ADA or Title VI complaints to be filed within 180 days of the date of the alleged discrimination.

A person may also file a complaint directly with:

Federal Highway Administration
U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590

This grievance procedure does not cover discrimination complaints based on protections afforded under other civil rights statutes, such as religion, sexual orientation, gender identity, marital status or source of income. If a grievance is filed alleging such discrimination, the Grievant will be notified that it cannot be processed as a grievance under the Plan. The Civil Rights Administrator will assist the Grievant in navigating the process of resolution of such complaint with the appropriate Department or Division within the County.

2. Filing a Grievance.

2.1 To be accepted, a Grievance must:

- a) Involve discrimination on the basis of age, disability, race, color, sex, or national origin;
- b) Allege that the discrimination was committed by the County, a County employee, a County contractor or a sub-recipient of federal funds from the County; and
- c) Be filed within 180 days of the alleged discrimination, or of when the Grievant knew, or should have known, of the alleged discrimination.

2.2 Specifics of Filing a Grievance:

- a) Grievances under this Procedure must be filed with the Civil Rights Administrator in ODE.
- b) Grievances must be in writing and signed by the Grievant. If the Grievant needs assistance reducing the complaint to writing or signing it, the Grievant may request assistance from the Civil Rights Administrator or may have another

person write and acknowledge the complaint on the Grievant's behalf. A sample grievance form is provided as Exhibit 5.

2.3 A Grievance must include:

- a) The name and contact information, such as address, email address, and phone number of the person who experienced the discriminatory action;
- b) The date(s) of the alleged act(s) of discrimination, or the date(s) when the Grievant(s) became aware of the alleged discrimination;
- c) A brief but specific description of the discriminatory practice(s) or action(s) and any relevant facts; and
- d) The names and contact information of any witnesses, including County employees or contractors.

2.4 Grievances may be mailed, delivered, faxed, emailed or submitted via webform at <https://www.multco.us/diversity-equity/webform/civil-rights-complaint-form>; and will be processed once the identity of the Grievant and intent to proceed with the grievance have been established.

2.5 The grievance form must be signed or acknowledged, and returned to the Civil Rights Administrator for processing by the one of the methods identified in Section 2.4 to:

Civil Rights Administrator
501 SE Hawthorne Blvd, Suite 600
Portland, Oregon 97214
503-988-3399
diversity.equity@multco.us

2.6 Allegations received by telephone will be reduced to writing and provided to the Grievant for confirmation or revision before processing. Any such grievance not signed by the Grievant within 60 days, shall be deemed legally insufficient as provided under Section VI, Subsection 4.1(e) and dismissed.

3. Processing a Civil Rights Grievance:

3.1 Upon receipt of the grievance, the Civil Rights Administrator will determine:

- a) If the grievance is complete;
- b) If additional information is needed;
- c) If the County has jurisdiction; and
- d) If the grievance is timely.

3.2 The Civil Rights Administrator will notify the Grievant in writing within 5 working days if the grievance is complete. If the grievance is not complete, the Civil Rights

Administrator will state why; and if additional information is needed, the Grievant will be notified what information is needed.

3.3 If the grievance is related to the Transportation Division, the County will forward the grievance to the ODOT Office of Civil Rights via email to

ODOT.TITLEVI@odot.oregon.gov. Grievances are forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches Federal Highway Administration (FHWA) Headquarters Office of Civil Rights for processing. FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or Subrecipients of Federal financial assistance.

4. Dismissal:

4.1 Multnomah County may dismiss a grievance for any of the following reasons:

- a) The Grievant withdraws the grievance;
- b) The Grievant fails to respond to repeated requests for additional information needed to process the grievance;
- c) The grievance is untimely;
- d) The Grievant cannot be located; or
- e) The grievance is determined to be legally insufficient.

6. Appeal, Review, Annual Log:

6.1 For all grievances received by the County and relating to the County Transportation Division, the grievance will be forwarded to the ODOT Office of Civil Rights. The Grievant will receive an acknowledgement letter informing them that the complaint has been received and whether the complaint will be investigated by ODOT or forwarded to a federal agency. The Grievant should follow procedures of the investigating agency for appeals if the Grievant is not satisfied with the final decision. .

6.2 For all grievances accepted by the County not relating to the County's Transportation Division, if the Grievant is not satisfied with the County's final decision, any further review of said decision shall be in compliance with applicable County administrative procedures.

6.3 The Civil Rights Administrator shall maintain an annual log of complaints received under the Plan in which the log shall include: the name and address of the person filing the complaint, the date the complaint was filed, the basis of the complaint, disposition of the complaint, and the status of the complaint.

VII. Program Review and Remedial Action Procedures

The Title VI Coordinator will assist ODOT Office of Civil Rights to periodically conduct Title VI compliance reviews of the County's sub-recipients. The review of select recipients of Federal-aid highway or other Federal funds will be conducted to ensure adherence to Title VI requirements.

The County will work cooperatively to periodically confirm operational guidelines have been provided to consultants, contractors, and sub-recipients, including Title VI language, provisions, and related requirements, as applicable.

Sub-recipients placed in a deficiency status will be given a reasonable amount of time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a contractor fails or refuses to voluntarily comply with requirements within the allotted time frame, the County will submit to ODOT copies of the case file and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ascertain if the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, the County and ODOT may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

VIII. Title VI Implementation Activities

A. Public Engagement

The County Transportation Division seeks to provide meaningful public participation. "Meaningful public participation" is defined in County Resolution 2018-108 as requiring sincere and well-planned attempts to create and maintain a space where community members are empowered to provide input, ask questions, and raise concerns regarding policies that will impact them.

Transportation Division staff and its contractors and consultants will:

1. Invite and encourage participation of the populace of Multnomah County, including all social, economic, and ethnic groups, in the planning process, by disseminating written program information to minority media and ethnic organizations, and providing public service announcements to local media, when requesting involvement or forming citizen advisory committees or planning boards.

2. Work to ensure information can be easily understood by those most impacted and remove barriers to participation recognizing that those most affected by the County's decisions are experts in their lived experience and provide insight that brings benefit to our entire community.
3. Ensure meeting times and locations are accessible with logistical supports in place for those most impacted.
 - a. Ensure translation services are available per the County's LEP Plan and County Administrative Procedure.
 - b. Ensure accommodations for persons experiencing disabilities are provided consistent with County Administrative Procedure.
 - c. Ensure sufficient public meetings are held in predominantly minority communities when County Transportation projects will specifically impact those communities.
 - d. Online participation options may also be offered to provide additional opportunities for those who cannot attend in person at a specific location or time. All websites and internet communications used will be accessible to individuals with vision or hearing impairments.
4. County Transportation staff will include methods for requesting demographic statistics at applicable community meetings, public hearings, and online open houses or surveys involving transportation planning sessions. Data will be gathered through use of a voluntary self-reporting form that includes race, gender, and national origin. Copies of the completed forms will be provided to the Title VI Coordinator after each meeting.

B. Design & Engineering / Environmental Activities

The County Transportation Division is responsible for transportation improvement projects and environmental permitting for projects. Studies are performed to assess various environmental factors evaluating demographic data. The analysis and monitoring of this data is critical in determining whether negative impacts/burdens are disproportionately impacting protected populations, and in ensuring the agency's services, projects and programs are being administered without discrimination.

Authorities: Title 23, USC 109(d), 14(a), 217, 315, and 402(a); 23 CFR 1204.4; 23 CFR 771;; 49 CFR 1.48(b)(33) and 1.48(c)(2); National Environmental Policy Act of 1969, 42 USC 4321; 40 CFR Part 1500; 49 CFR Part 622.

Design/Environmental Review Process and Title VI:

1. Depending on the scope, complexity, and impacts of a project, a National Environmental Policy Act (NEPA) Categorical Exclusion, NEPA Environmental Assessment, State Environmental Policy Act (SEPA) checklist, SEPA

Determination of Non Significance, or NEPA and/or SEPA Environmental Impact Statement will be completed.

2. Monitor compliance with Title VI requirements in all aspects of conducting Environmental Impact Statements or Assessments. Provide a comprehensive summary of the demographic and environmental data elements to be considered by the EIS/EIA process to the Coordinator, including updated summary lists as applicable. Incorporate into the review process adequate time for the Coordinator to review and comment, as applicable, on the draft EIS/EIA to ensure there are no violations of the Federal Civil Rights Act, as amended, as a result of the County's Federal-aid highway activities.
3. Follow public engagement activities as described in Section VIII.A of this Plan.

C. Right-of-way Activities

1. Ensure equal opportunity in all aspects of procuring real estate service contracting and appraisal agreements. Follow adopted Multnomah County vendor procurement policies in the acquisition of contracted services and maintain data on awards to minority and female appraisers.
2. Follow guidelines for property acquisition as well as applicable laws and regulations, including Title VI and Section 504.
3. Adhere to departmental policy of apprising affected property owners, tenants, and others involved in right-of-way acquisition of their rights and options regarding negotiation, relocation, condemnation, and other aspects of the acquisition process. Provide copies of required moving and relocation assistance literature.
4. Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business. Coordinate the preparation of deeds, permits, and leases to ensure the inclusion of the appropriate clauses, including Title VI Assurances.
5. Ensure that appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment.
6. Ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities by the property acquisition process.
7. Maintain statistical data including race, color, national origin, and sex on all relocated individuals affected by Federally funded projects. Provide demographic data to the Title VI Coordinator when a relocation occurs.

D. Construction and Maintenance Activities

Construction Management

The Transportation Division is responsible for administration of all new public right of way construction contracts under County jurisdiction. The Division is also responsible for oversight and the administration of transportation construction projects under County jurisdiction, as set forth by policy decisions and supervision of the Multnomah County Engineer. Authorities: County's Design and Construction Manual; County Road Rules; ODOT Standard Specifications for Road, Bridge, and Municipal Construction.

Maintenance

The Transportation Division is responsible for managing an efficient program for maintaining Multnomah County roads and bridges, by economically utilizing the resources of contractors, equipment, and materials. Authorities: County's Design and Construction Manual; County Road Rules; ODOT Standard Specifications for Road, Bridge, and Municipal Construction.

Construction and Maintenance Activities and Title VI:

1. Review all Federally funded projects for application of Disadvantaged Business Enterprise (DBE) goals. As appropriate, include DBE provisions in those projects with designated goals. Include Title VI language in bid announcements and applicable construction documents, as stipulated in the County's Title VI Policy Statement and Assurances herein.
2. Award construction contracts on the basis of lowest responsive bidder or other appropriate methods allowed by Oregon law, as well as meeting DBE requirements. Include Title VI language in prime contract award letters to encourage utilization of DBE subcontracts and vendors.
3. Ensure that prime contractors with DBE requirements award contracted work to DBEs that perform commercially useful functions.
4. Monitor all maintenance and construction operations to ensure nondiscrimination throughout all operations.
5. Coordinate the gathering of maintenance and construction information regarding DBE participation for the Annual Title VI Report; and provide to the Coordinator.

Exhibit 1: Multnomah County Transportation Division Title VI Notice to the Public

Multnomah County (County) hereby gives public notice that it is the County's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of age, disability, race, color, sex, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal-Aid Highway program or other activity for which the County receives Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the County. Any such complaint must be in writing and filed with the County's Civil Rights Administrator within one hundred, eighty (180) days following the date of the alleged discriminatory occurrence, unless there is good cause for delay as determined by the Civil Rights Administrator. Title VI Discrimination Complaint Forms may be obtained from the Multnomah County Transportation Division Office at no cost to the complainant by calling (503) 988-5050.

Exhibit 2: Multnomah County Title VI Assurances

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

Assurances

DOT Order No. 1050.2A

The Multnomah County Transportation Division (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 the 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 Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Multnomah County Transportation Division, 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, Multnomah County Transportation Division 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.

Multnomah County Transportation Division 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.

Multnomah County Transportation Division

by Jon Henrichsen

(Signature of Authorized Official)

Digitally signed by Jon Henrichsen
 DN: C=US, E=jon.p.henrichsen@multco.us, O=Multnomah
 County Transportation Division, OU=Transportation Division
 Director/County Engineer, CN=Jon Henrichsen
 Reason: I am approving this document
 Date: 2025-12-22 16:27:45-08'00"

DATED 12/2/2025

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.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or

the 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 B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

(HABENDUM CLAUSE)

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

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

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

APPENDIX C

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

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

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

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

APPENDIX D

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

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Multnomah County Transportation Division 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, Multnomah County Transportation Division 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, Multnomah County Transportation Division will there upon revert to and vest in and become the absolute property of Multnomah County Transportation Division 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.).

Exhibit 3: Public Involvement Methods

The County makes an effort to inform and include the public, including Title VI protected populations, through a variety of methods:

- Website- The County maintains an extensive website, which is updated regularly. The Transportation Program sites may be accessed from the County site. The site contains information on the County's responsibilities, programs, meeting calendars, agendas, and minutes; contact information for staff; complaint procedures and complaint forms; bidding and contract information; and project information. The website is designed to be ADA compliant.
- Press Releases- Press releases are routinely sent to different media- daily and weekly newspapers, TV stations, and radio stations, including Non-English language outlets.
- Meetings open to the public- Meetings and work sessions of the County Board and commissions are open to the public. Time for citizen comments is reserved at Board meetings. Meeting dates, times, and agendas are posted in advance on the County's website. Board meetings are televised and webcast by local public access channels. Live broadcasts and replays are available on the County website.
- Opportunities for Public Comment- The County and the Transportation Program provide opportunities for comment on a range of plans, programs, and projects. Public comment periods are typically advertised through email notices, and web and newspaper advertisements. Comments are accepted by phone, fax, email, U.S. mail, and in person at meetings.
- Staff Contact- Staff is accessible and contact information for staff is generally provided on the County's website and specifically provided on project fact sheets, brochures, and postcards, as well as on meeting agendas. Staff attends public meetings and is available to answer questions and take comments.
- Events- Events such as workshops, open houses, and forums are held regularly, as needed. Depending on the event, notices of these events may be made by email, postcard, letter, newspaper advertisements, and on the County's website. Meeting locations are ADA accessible and interpretation or listening devices can be provided by request.
- Complaints of discrimination will follow the complaint process outlined in the Plan. The Title VI Coordinator will track any complaints, forward Title VI complaints to ODOT, and monitor or assist in resolution of any complaints.

Exhibit 4: Summary of Applicable Legal Authority

The following contains a compilation of the legal regulations, statutes, or orders that together create the legal requirements for non-discrimination by the Multnomah County Transportation Division or subrecipients:

- *Title VI of the Civil Rights Act of 1964*; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250;; 28 CFR 50.3
- *The Civil Rights Restoration Act of 1987*, (Pub. L. No. 100-259):
 - o 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, and contractors.
- *23 CFR Part 200 and 49 CFR 21*:
 - o 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):
 - o 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):
 - o The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis of 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):
 - o 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 instrument of a state or a local government.
- *Section 504 of the Rehabilitation Act of 1973*:
 - o 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.

Exhibit 5: Grievance Form

ADA/Title VI Grievance Form

The purpose of this form is to assist you in filing a grievance under the Americans With Disabilities Act (ADA), The Rehabilitation Act, or Title VI of the Civil Rights Act of 1964 (Title VI). The ADA and the Rehabilitation Act prohibit discrimination based on disability. Title VI prohibits discrimination based on age, disability, race, color, sex or national origin. Other laws prohibit discrimination based on sexual orientation, gender identity, religion, and source of income. You may file a grievance against the County, a County contractor, a subcontractor on a County transportation project, or any other County sub-recipient of federal funds. All grievances must be filed within 180 days of the occurrence of the alleged act unless there is good cause for delay as determined by the Civil Rights Administrator.

Send All Grievances To:

Civil Rights Administrator
501 SE Hawthorne Blvd, Suite 600
Portland, Oregon 97214
503-988-3399
diversity.equity@multco.us

This is an administrative process that does not provide for compensatory or punitive damages. This is not a confidential process; there is no expectation of confidentiality or privacy in any written or oral communication resulting from, created, or exchanged during this process.

The County's process is not exclusive. A person filing a grievance with the County may also file a complaint with other state or federal agencies or the courts. Other agencies will have time limits for filing complaints. Generally, federal agencies require ADA and Title VI complaints to be filed within 180 days of the date of the discrimination. This process does not protect or extend those time limits.

1. Name and Address

Name:

Address:

City:

State:

Zip Code:

Home Phone:

Work Phone:

Cell Phone:

Email:

Today's Date:

2. Person(s) Discriminated Against, if Different from Above

Name:

Address:

City:

State:

Zip Code:

Home Phone:

Work Phone:

Cell Phone:

Email:

3. County Department, Contractor or Sub-recipient Involved in Alleged Discrimination:

Name:

Address:

City:

State:

Zip Code:

Home Phone:

Work Phone:

Cell Phone:

Email:

4. Indicate the Reasons you Believe the Discriminatory Action(s) Occurred.

Race/Color National Origin Disability Sex Age
Other _____ (please specify)

5. When and where did the incident(s) occur?

6. Please explain as clearly as possible what occurred, who was involved, why you believe it occurred, and how you (or another) were discriminated against. (Please use additional sheets of paper, if necessary, and attach a copy of any written materials pertinent to your claim.)

7. Sign and date the Grievance Form

Print Name:

Signature:

Date:

If you are unable to sign, please type or have another acknowledge for you.

Name of Person Acknowledging on Behalf of Grievant: