



TITLE VI ACCOMPLISHMENTS & GOALS REPORT

This outline is for LPA and other governmental entities to report Title VI activities that occurred over the past year and report Title VI goals for the upcoming year. Reports must be returned on or before due date to meet eligibility requirements for federal funding. Send to TitleVI@WSDOT.wa.gov

DUE DATES: Refer to Section 28.3 for scheduled reporting period and due date

Contact Information

Name and title of administrator (signature on Standard Assurances): Satpal Singh Sidhu – Whatcom County Executive

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City: Bellingham WA Zip Code: 98225 -4042 County: Whatcom

Phone #: (360) 778-5205 email address: SSidhu@co.whatcom.wa.us

Name and title of head of transportation-related services: Jon Hutchings – Public Works Director

Mailing Address: 322 N. Commercial Street, Suite 301

City: Bellingham WA Zip Code: 98225-4042 County: Whatcom

Phone #: (360) 778-6205 email address: JHutchin@co.whatcom.wa.us

Name and title of designated Title VI coordinator*: Lonni Cummings, Administrative Secretary

Mailing Address: 322 N. Commercial Street, Suite 301

City: Bellingham WA Zip Code: 98225-4042 County: Whatcom

Phone #: (360) 778-6279 email address: lcumming@co.whatcom.wa.us

*When the Title VI coordinator changes, notify TitleVI@WSDOT.wa.gov within 30 days.

To comply with Title VI requirements, each annual report submission must include signed Standard Assurances (USDOT1050.2A).

Accomplishments

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

The 2020 plan was updated to include new County Council Member, new Human Resources Manager, and new Title VI Coordinator.

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

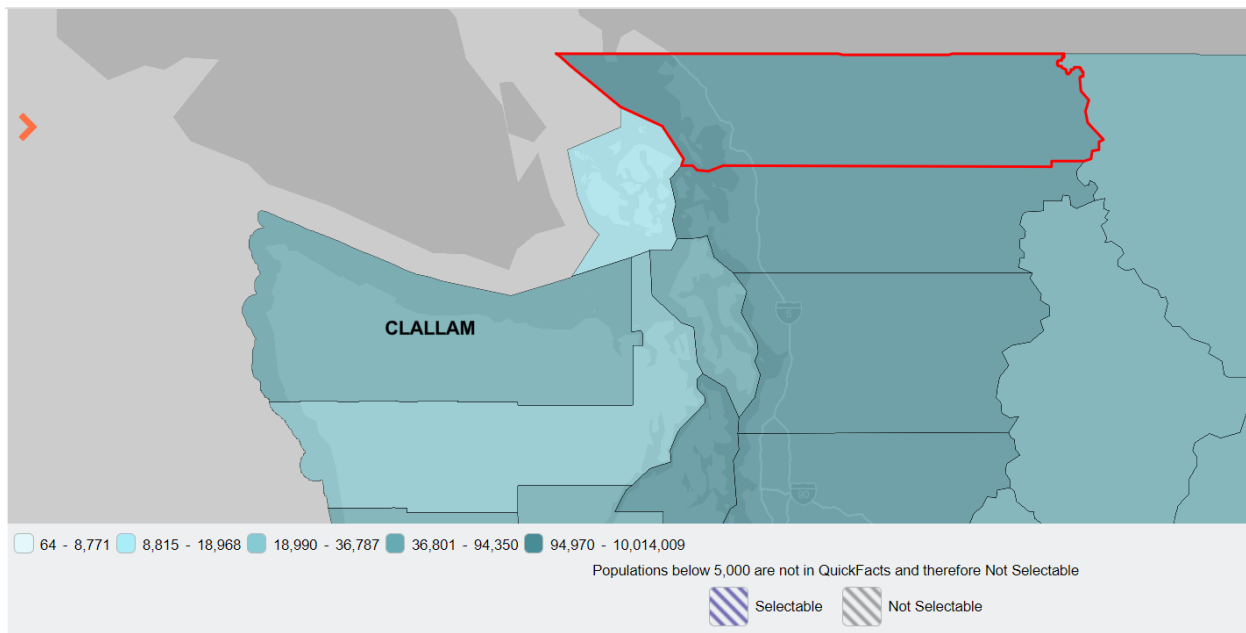
The County Executive is responsible for ensuring the implementation of the County's Title VI program. The Director of the Public Works Department on behalf of the County Executive is responsible for the overall management of the Title VI program. The day-to-day administration of the program lies with the Title VI Coordinator under the direct supervision of the County Engineer.

Title VI Coordinator and Special Emphasis Program and Area Liaison			
Name	Gender/Ethnicity	Title	Program
Lonni Cummings	Female/Caucasian	Administrative Secretary-Title VI Coordinator	Public Works Administration

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

Whatcom County LEP Data-Population = 209,008 ±			
Language	Population	LEP	LEP%
Spanish	12,715	3,728	6.08%
Russian	1,278	426	0.61%
Punjabi	1,355	642	0.65%
*Chinese	1,140	493	0.55%
* includes Mandarin, Cantonese			

LEP data gathered from US Census Data (2019:ACS 5 Year Estimates Table - B16001. Language Spoken at Home by Ability to Speak English for the Population 5 yrs. & Over) r=the ability to Speak English "less than very well"



Map is taken from the US Census Bureau. Population Census April 1, 2020
<https://www.census.gov/quickfacts/fact/map/whatcomcountywashington,US/POP010220?>

US Census Data - April 1, 2020		
Community Demographics	Fact Note	Whatcom County

Population		226847
<u>Race and Hispanic Origin</u>		
White alone, percent		86.20%
Black or African American alone, percent	(a)	1.30%
American Indian and Alaska Native alone, percent	(a)	3.40%
Asian alone, percent	(a)	4.80%
Native Hawaiian and Other Pacific Islander alone, percent	(a)	0.30%
Two or More Races, percent		4.00%
Hispanic or Latino, percent	(b)	9.80%
White alone, not Hispanic or Latino, percent		78.30%
<u>Income & Poverty</u>		
Median household income (in 2019 dollars), 2015-2019		\$62,984
Per capita income in past 12 months (in 2019 dollars), 2015-2019		\$32,267
Persons in poverty, percent		12.70%
Fact Notes		
(a) Includes persons reporting only one race		
(b) Hispanics may be of any race, so also are included in applicable race categories		

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

There have been no complaints filed with Whatcom County Public Works during the current reporting period

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

Planning, Community Outreach / Involvement within Public Works Engineering Services: Traffic/Development whose responsibilities include Development Standards, Traffic & Transportation Analysis. Input from this department contributes to the required Annual Transportation Program (ACP) and the Six Year Transportation Program (STIP). Engineering Services has completed a Whatcom County ADA Transition Plan for Public Rights-Of Way, in coordination with a consultant. Contract Number: 201905030-2, \$145,251.99. Addendum 2 in 2020 was added to include assessment of the County’s Ferry System. Further consideration was made and concluded that the Whatcom County Ferry System should be included in the ADA transition plan, and was included in the second draft of the plan on February 11, 2021. Public outreach and a public comment period were initiated on March 1, 2021 and ran through March 31, 2021, with direct outreach to our disabled community contacts with a personal invitation to review and comment. Coinciding with the March 1, 2021 press release, a dedicated web for the Whatcom County ADA Transition Plan was established, which allowed for on-line comments to the draft plan. On March 12, 2021, a presentation was to the “United Blind of Whatcom County” at their regularly scheduled meeting. At the Whatcom Council meeting on May 4th, 2021, the Transition Plan was unanimously adopted by the Whatcom

County Council. June 9, 2021, a presentation was made to the “Whatcom County ADA Compliance Committee” on the adopted plan and status. The contract was finalized on time on June 30, 2021, and the ongoing process of implementation continues. Prior to this time frame, we contracted with “HandDancer Interpretive Services” for sign language support at all public outreach events and focus group meetings.

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

- N. Lake Samish Dr. Bridge #107 Replacement (4 negotiations, pending)
- Deer Trail Slide Damage Repair (1 negotiation, completed)
- Marine Drive Reconstruction (15 negotiations, completed)
- Rothenbuler Culvert Replacement (2 negotiations, completed)
- E. Smith/Hannegan Intersection Improvements project. (8 negotiations, pending)
- N Fork Emergency Road Repair (1 negotiation, completed)

Negotiations: A total of 31 negotiations were completed or are ongoing for those projects. No civil rights complaints were filed during this report period in any of the following Right-of-Way functional areas: Appraisals, Negotiations, Relocation Assistance and Payments.

Property Management: No concerns were raised by minorities or women about their options in the negotiation phase. No relocations were completed.

Appraisals: Appraisers were used for the N. Lake Samish Dr. Bridge #107 Replacement. 1 appraiser was a woman. Appraisers were used for the N Fork Emergency Road Repair. 1 appraiser was a woman.

Road Vacations and Easement Releases: Various road vacations and easement releases were made during this reporting period involving the County Council and required public hearing.

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

Right-of-Way staff			
Name	Gender/Ethnicity	Title	Program
Andrew Hester	Male/Caucasian	Program Specialist- Real Estate	Public Works Administration

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

Whatcom County Public Works’ ADA Transition Plan was completed in 2021. See Item #5 above for additional information.

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

Project burdens noted in the table below were mitigated through various forms of public outreach including: Project web page updates, flyers, emails, social media, and public meetings as necessary. The cultural resource disturbance impacts were dealt with during formal permitting processes and agreements.

Project	Contract Work	Benefits/Burdens
2022 Capital Wetland Mitigation	Site prep, amending soils with compost, placement of mulch, planting native flora, and placement of large woody debris	Benefits: N/A Burdens: Off-road work, no impact
2022 Flood Gates	Installation of permanent gates for temporary road closures during extraordinary flood events.	Benefits: Safety for all public Burdens: Temporary traffic flow impact
Birch Bay Drive Harborview Road Pavement Repair	HMA Paving (Inlay) of failing sections of Harborview Rd and Birch Bay Dr and associated work including pavement marking and traffic control	Benefits: Safety for all public Burdens: Temporary traffic flow impact
Birch Bay Lynden Rd-California Crk Emergency Culvert Repair	Emergency culvert replacement to repair washed out roadway	Benefits: Re-establish essential traffic Burdens: Temporary road closure/detour
Goshen Road Shoulder Repair	Restore a 100-ft section of roadway that had been washed out during the November 2021 flood.	Benefits: Slope stabilization Burdens: 4 months road closure
Lummi Island Dolphin Repair 2022	Repair damage to timber dolphin sustained by hard impact with ferry	Benefits: safer ferry berthing process Burdens: temporary impacts to sailing schedule
Lummi Island Breakwater Replacement	Remove an existing breakwater with a new and larger breakwater with steel piles and sheet piles.	Benefits: Safer ferry berthing process Burdens: n/a
Maple Beach Seawall Repair	Repair a broken section of a concrete seawall that a car hit.	Benefits: Repaired broken concrete seawall. Off road work, no impacts. Burdens: n/a
Mosquito Lk Rd/Hutchinson Creek Trib. Fish Passage Culvert Replacement	Fish passage culvert replacement	Benefits: Public safety and fish friendly Burdens: Temporary road closure/detour
North Fork Road Emergency Road Repair	Repair and restoration of the roadway alignment of North Fork Rd following damage caused by the Nooksack River during flood events.	Benefits: Safety and transportation flow Burdens: Temporary traffic flow impact including a bypass alignment
Northwest Dr. Emergency Shoulder Repairs	Emergency repairs due to flooding and erosion & partial collapse of the roadway shoulder in two locations	Benefits: Safety and transportation flow Burdens: Temporary traffic flow impact
South Pass Rd 2022 Emergency Slide Repair	Emergency repairs due to landslide & catastrophic failure of the roadway and associated embankment	Benefits: Safety and transportation flow Burdens: Temporary road closure/detour
Small Area Paving 2022	Pavement repair at various locations throughout Whatcom County	Benefits: safety for all public Burdens: temporary impacts to traveling public
Swift Creek Action Plan 2022 Construction	Construct sediment traps and debris deflection berm.	Off-road work, no impact

Swift Creek 2022 & 2023 Channel Excavation	Excavate accumulated Swift Creek sediment and stockpile.	Off-road work, no impact
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10. Other Public Meetings – List other public meetings held during this reporting period. Identify efforts used to encourage citizen participation at those meetings. Detail dates, times, locations, attendance, and provide examples of outreach materials.

The Six-Year Transportation Improvement Plan and 2023-2028 and the 2023 Annual Construction Program both have public hearings associated with their formal Resolutions and adoption by County Council.

Identify members of the LPA's transportation planning and/or advisory groups by race, color, and national origin. Specify methods used to collect demographic information from the transportation-related public meetings. (Self-identification surveys, notes by staff, etc.) Include summaries of Public Involvement Forms collected at each meeting, listing the demographics of those who attended by meeting.

Whatcom County has many advisory groups, however the make-up of these groups in terms of race, color, and national origin has not been provided or determined. For public meetings, optional Title VI compliance statements are distributed for voluntary disclosure of gender, race, color, and national origin.

List any language assistance services requested. For which languages?

Historically, Whatcom County has provided language assistance services for public outreach and public meetings. Spanish has been the primary language for translation, as well as sign language interpreters for public meetings.

In addition, list vital documents translated during the reporting period and identify the languages

During this reporting period, the County has hired a Public Works Communications Specialist whose duties include public involvement and public outreach. Outreach consists of Web, Social media, mailings. Translation is provided in Spanish.

11. Transportation-related Construction and Consultant Contracts (if applicable) – Briefly describe the process used to advertise and award construction contracts during this reporting period. Include the process for negotiated contracts (e.g., consultants).

The Finance Department (Purchasing & Bid Administration) posts bid opportunities on the County website <https://www.whatcomcounty.us/Bids.aspx>. Publication information to the Bellingham Herald, Seattle Daily Journal of Commerce & the OMWBE are listed there.

Bid Contracts: Once the bidding period closes, the bids are opened and checked for the required documentation (addendums for example). The apparent results are posted to the website & sent internally to the appropriate project lead. Within Public Works – the individual bid proposals are checked for mathematical errors & tallied into a spreadsheet.

The apparent lowest responsible bidder is additionally checked for compliance of state and/or federal (if applicable) requirements using a pre-award checklist. Per County code, policy & law – an Executive Award Package containing the appropriate information is presented to the County Executive for signature.

Negotiated Contracts: Consultant contracts for professional services are based on 'most qualified'; therefore, selection is based on experience and technical qualifications. However, the County's Professional On-Call Open Roster statement of qualifications submittal form has a category for firms to indicate minority status. Responses to the Request for Qualifications (RFQ) are reviewed by an internal panel of 3-4 employees. The RFQ's are rated & short listed to a minimum of 3. These are interviewed and scored based on qualification. The scores are tallied. Once a consultant is chosen – negotiations can begin that include prices.

MRSC Website: Effective January 1, 2022, Whatcom County transitioned to the Municipal Research and Services Center of Washington (MRSC) Rosters shared online database. MRSC posts a Roster Legal Notice on behalf of

participating public agencies annually in the following newspapers to fulfill generally applicable state roster advertising requirements (e.g., as described in RCW 39.04.155 and RCW 39.04.190). Public Agencies use the MRSC Rosters database to search for Businesses registered on their Rosters, select Businesses to contact about projects, and then retain appropriate roster contracting records.

12. Describe the actions taken to promote construction contractor/consultant compliance with Title VI by construction contractors/consultants, including monitoring and review processes, and their outcomes/status (e.g. what Title VI language was included in contracts and agreements; were contractors and consultants reviewed to ensure compliance; what Title VI responsibilities are explained to contractors and consultants?)

Contractors and /or Consultants entering into an agreement with the County that includes compliance with Title VI report directly to the DMCS (Diversity Management Compliance System). The County's obligation & limited involvement allows for monitoring only. Title VI Language is included in contracts & Letters of Agreement as required by WSDOT, law & County Policy.

13. List construction, right-of-way, and consultant contracts with your LPA/MPO/entity for this report period with dollar value of each. Identify funding sources (federal, state, local, other), and how many were awarded to certified disadvantaged contractors (as a prime contractor/consultant). *Seven (7) contracts were awarded to four contractor/consultants*

<u>Consultant Contracts (Design/Construction Section)</u>			
Prime Consultants	Project Name	Funding Source	Dollar Value (rounded to nearest Hundred)
Canyon Environmental Group LLC (202103022-1)	E Smith Hannegan Intersection Improvements & Marine Dr Bike & Ped Improvements (Wetland)	Local Funds	\$28,290
Environmental Science Associates, Inc. (ESA) (WCC 201409001-11)	Birch Bay Dr & Pedestrian Facility (CRP 907001)	Local Funds	\$2,485,700
Coastal Geological Services, Inc SBE (WCC 202209021) UBI 601 709 100	Birch Bay Dr & Pedestrian Facility (CRP 907001) Monitoring	Local Funds	\$284,800
Engineering Connections LLC dba Impact Design (LOA 2022-ENG-06)	North Fork Road-Emergency Repair (WO 22437)	Local Funds	\$9,900
Indicator Engineering PLLC (WCC 202201012)	Emergency Proclamation (11/14/21) hydraulic engineering support	Local Funds	\$12,800
Indicator Engineering PLLC (LOA 2021-ENG-11)	North Fork Road-Emergency Repair (WO 22437)	Local Funds	\$9,950
Transpo Group USA, Inc (WCC 201803005-3)	E Smith Hannegan Intersection Roundabout Design (CRP 914002)	Local Funds	\$427,600
Transpo Group USA, Inc (LOA 2022-ENG-04)	ADA Transition Plan	Local Funds	\$10,000
Transpo Group USA, Inc (WCC 201911011-1)	Altrnative Analysis @ 2 Intesections (CRPs 906001 & 918019)	Local Funds	\$95,000

Transpo Group USA, Inc (WCC 202201025)	Traffic Study-area pf Wynn Rd, Marine Dr, Country Ln & Bancroft Rd (CRP 922015)	Local Funds	\$40,000
GeoEngineers, Inc. (WCC 202106018)	Deer Trail Slide Repair (CRP 921020)	Local Funds	\$33,600
Drayton Archaeology (LOA 2022-ENG-07)	Deer Trail Slide Repair (CRP 921020)	Local Funds	\$8,100
Pacific Surveying & Engineering Services, Inc. (WCC 201911002-1)	Marine Drive Reconstruction & Bicycle Pedestrian Facilities (CRP 917001)	Local Funds	\$364,000
GeoEngineers, Inc (WCC 202104018)	Marshall Hill Rd Slide Damage Repair (CRP 921022)	Local Funds	\$36,200
GeoEngineers, Inc (WCC 202108051)	S. Pass Rd 2020 Flood Damage Repairs (WOs 2254, 23448 & 232314)	Local Funds	\$35,100
Reid Middleton (WCC 202108036)	Birch Bay Lynden Rd & Blaine Rd Roundabout (CRP 906001)	Local Funds	\$370,000
GeoTest Services (LOA 2022-ENG-01)	Emergency-S Pass Rd Failure Repair & Birch Bay Lynden Culvert Replacement (WOs 22541 & 23448)	Local Funds	\$8,200
Interwest Construction (LOA 2021-ENG-12)	Emergency-N. Fork Rd Road Repair (WO 22437)	Local Funds	\$9,900

Consultant Contracts (Bridge & Hydraulic Section)

Prime Consultants	Project Name	Funding Source	Dollar Value (rounded to nearest Hundred)
PND Engineers, Inc. (WCC 20140107-1)	Ferry Dolphin & Breakwater Replacement (WO 23528 & CRP 914015)	Local Funds	\$290,400
KPFF Consulting Engineers (WCC 20170019-6)	Lummi Island Ferry System (Level of Service) (CRP 919008)	Local Funds	\$1,818,100
Coffman Engineers, Inc. (WCC 202012004-1)	Goshen Rd/Anderson Creek Bridge No. 248 Replacement (CRP 920003)	Federal Funds	\$271,100

Coffman Engineers, Inc. (WCC 201912040-1)	North Fork Rd/Kenny Creek Fish Passage (CRP 919007)	Local Funds	\$458,100
<i>Trantech Engineering, LLC</i> DBE & SEDBE (WCC 201608019-4) UBI 602 507 862	N Lk Samish-Rd Bridge No. 107 Replacement (CRP 913006)	Local Funds	\$1,049,700
<i>Trantech Engineering, LLC</i> DBE & SEDBE WCC 202108033-1) UBI 602 507 862	Nulle Rd/Friday Crk Bridge 106 (CRP 921021)	Local Funds	\$72,500
Herrera Environmental Consultants, Inc. (WCC 201811039-1)	Swift Creek Design of Sediment Management Action Plan & technical analysis (EIS)	DOE Grant & Local Funds	\$1,006,000
Drayton Archaeology (WCC 202108032-1)	Swift Creek Sediment Management Action Plan Projects	DOE Grant & Local Funds	\$30,100
<i>Sargent Engineers, Inc.</i> SBE (WCC 202010017-1) UBI 600 560 818	Jackson Rd/Terrell Creek Bridge #81 Replacement (CRP 917004)	Local Funds	\$167,700

On Call Contracts for Services			
Wilson Engineering LLC (WCC 202101028-1)	Surveying Services 2021-22	Local Funds	\$100,000
GeoTest Services, Inc. (WCC 202201032)	Construction Inspection & Material Testing (2022)	Local Funds	\$150,000
<i>Pacific CM LLC</i> (DBE & SEDBE) (WCC 201903046-1)	<i>Construction Inspection & Material Testing (2019-2021)</i>	<i>Local Funds</i>	<i>\$200,000</i>
<i>Trantech Engineering, LLC</i> DBE & SEDBE (WCC 201911030-1) UBI 602 507 862	Structural engineering support for WC bridge program	Local Funds	\$90,000
<i>Trantech Engineering, LLC</i> DBE & SEDBE (WCC 202203022-1) UBI 602 507 862	Structural engineering support for WC bridge program	Local Funds	\$40,000
KPFF, Inc (WCC 202203023)	Structural Engineering support to WC Bridge Program	Local Funds	\$40,000
KPFF, Inc (WCC 202204028)	Mechanical Engineering support to WC Ferry Program	Local Funds	\$40,000
Geo Engineers, Inc (WCC 202107034)	Geotechnical engineering services	Local Funds	\$200,000

<u>Right-of-Way Contracts</u>			
E Smith/Hannegan Intersection Improvements	Epic Land Solutions Inc	WCC # 202010012	\$49,500.00
N Lake Samish/Bridge 107 Replacement	ABS Valuation	LOA 2021-ENG-09	\$1,900.00
N Lake Samish/Bridge 107 Replacement	Northwest Meridian Appraisal	LOA 2021-ENG-08	6,800.00
N Lake Samish/Bridge 107 Replacement	ABS Valuation	LOA 2021-ENG-06	\$1,900.00
North Fork Rd Emergency Road Repair	S&H Valuation & Consulting	LOA 2022-ENG-05	\$10,000.00

14. Education & Training – Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status. *This is a future goal of the newly appointed Title VI Coordinator.*

List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training.

The Title VI Coordinator reviewed the following WSDOT online presentations and took the online survey on November 1, 2022:

Foundations of the ADA/Section 504

<https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=72>

Nondiscrimination Assurances

<https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=93>

Implementation Plans

<https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=91>

Compliance and Enforcement

<https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=94>

When was Title VI internal training provided to staff? Who conducted the training? What was the subject of the training? Provide the job titles and race/color/national origin of attendees.

No training has been provided to staff.

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

Please note that due to the COVID-19 pandemic & staff changes - training was severely restricted and resources were diverted.

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

- Expand liaisons throughout public works; include HR, real estate, administration (exec's office), facilities, M&O, PW – Traffic/Engineering Services,
- More training opportunities, in-depth for Title VI through WSDOT