



Washington County Title VI Implementation Plan 2026

**Under Direction of: Office of Access and Opportunity
Washington County Administrative Office
155 North First Avenue, Ste 300 MS-20
Hillsboro, OR 97124-3072
503-846-8685
oao@washingtoncountyor.gov**

Table of Contents

INTRODUCTION..... 3

SECTION 1. POLICY STATEMENT, AUTHORITIES, AND CITATIONS..... 5

SECTION 2. OVERVIEW, ORGANIZATIONAL CHART, ROLES, AND STRUCTURE 6

SECTION 3. ROLES AND RESPONSIBILITIES..... 8

SECTION 4. PROGRAM AREAS..... 9

SECTION 5. PUBLIC INVOLVEMENT REQUIREMENTS 10

SECTION 6. LIMITED ENGLISH PROFICIENCY AND MEANINGFUL ACCESS 12

SECTION 7. CIVIL RIGHT GRIEVANCES 13

APPENDIX A: SIGNED ASSURANCES 15

INTRODUCTION

As a recipient of Federal funds Washington County is required to comply with non-discrimination laws and regulations, including Title VI of the Civil Rights Act of 1964. Title VI forbids discrimination against anyone in the United States on the basis of race, color, or national origin in the programs and activities of an agency receiving federal financial assistance.

In addition to Title VI other non-discrimination statutes that afford legal protection to individuals and communities include:

- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex),
- Age Discrimination Act of 1975 (age),
- Section 504 of the Rehabilitation Act of 1973,
- Title II of the Americans with Disabilities Act of 1990 (disability) as it relates to discrimination on the basis of disability in OJP or COPS programs or activities (42.U.S.C Sec. 12132 and 28 C.F.R Pt.35),
- Services to Limited English -Proficient Persons (LEP) as it relates to national origin discrimination on the basis of limited English proficiency,
- Partnership with Faith Based and Other neighborhood Organizations as it relates to ensuring equal treatment of Faith-Based organizations and nondiscrimination of beneficiaries on the basis of belief (28.C.F.R sec.38 and EO 13279).

Together, these requirements define an over-arching Title VI Program. Title VI and the additional nondiscrimination requirements apply to all Washington County departments even if only one Washington County department or program was to receive federal funds. The Civil Rights Restoration Act of 1987 defined the word “program” to clarify that discrimination is prohibited throughout an entire agency if any part of the agency receives federal funds.

Washington County is committed to achieving full compliance and expects every manager, supervisor, employee, and sub-recipient of federal-aid funds administered by the Washington County to be aware of and apply Title VI and related non-discrimination statutes in performing assigned duties in accordance with Federal, State, and Local non-discrimination laws and regulations.

As a matter of policy, Washington County is committed to:

- Prohibiting discrimination in programs, services, employment, and contracting.
- Providing accommodations for people with disabilities to have an equal access to participate in and benefit from Washington County programs, services, and activities.
- Providing translation and interpretation services to those with LEP needs.
- Offering meaningful access to information, programs, and services in their preferred language. Promoting a workplace that provides equal employment opportunities for all and is free of discrimination, harassment, and retaliation.
- Providing reasonable accommodations for qualified employees with disabilities.
- Identifying and addressing disproportionate and adverse human health and environmental, social, and economic impacts of programs, services, or activities for minority and low-income populations.

Washington County has placed Civil Rights compliance and monitoring responsibility with the Washington County Office of Access and Opportunity (OAO). The Civil Rights Officer is generally responsible for implementing, monitoring, and ensuring compliance with Title VI regulations and the overall administration of Civil Rights laws including:

- Countywide Title VI notice compliance
- Limited English Proficiency (LEP)
- Equal Employment Opportunity (EEO)
- Affirmative Action Plan
- Investigations of Title VI and VII Complaints

For county's civil rights questions please contact: Office of Access and Opportunity (OAO) at 503-846-8685 or oao@washingtoncountyor.gov.

SECTION 1. POLICY STATEMENT, AUTHORITIES, AND CITATIONS

A. Title VI Policy Statement

It is the policy of Washington County that no person shall be denied the benefits of or be subjected to discrimination in any program, service, or activity provided by County personnel, contractors, or consultants on the grounds of race, color, or national origin. Other nondiscrimination authorities included the protected classes of age, sex, and disability.

This policy applies to all operations of Washington County, including its contractors and anyone who acts on behalf of Washington County. This policy also applies to the operations of any department or agency to which Washington County extends federal financial assistance. Federal financial assistance includes grants, training, equipment usage, donations of surplus property, and other assistance.

Title VI compliance is a condition of receipt of federal funds. The Civil Rights Officer is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 USC § 2000d and related statutes, 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; 28 CFR 50.3 and 49 CFR part 21.

Washington County is committed to the compliance and monitoring of all aspects of the Civil Rights and Title VI Plan.

SECTION 2. OVERVIEW, ORGANIZATIONAL CHART, ROLES, AND STRUCTURE

A. Overview

Washington County's strict discrimination and anti-harassment and fair treatment Policies (301, 305 and 212) assure that no person shall, on the grounds of race, color, national origin, age, sex, and disability 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.

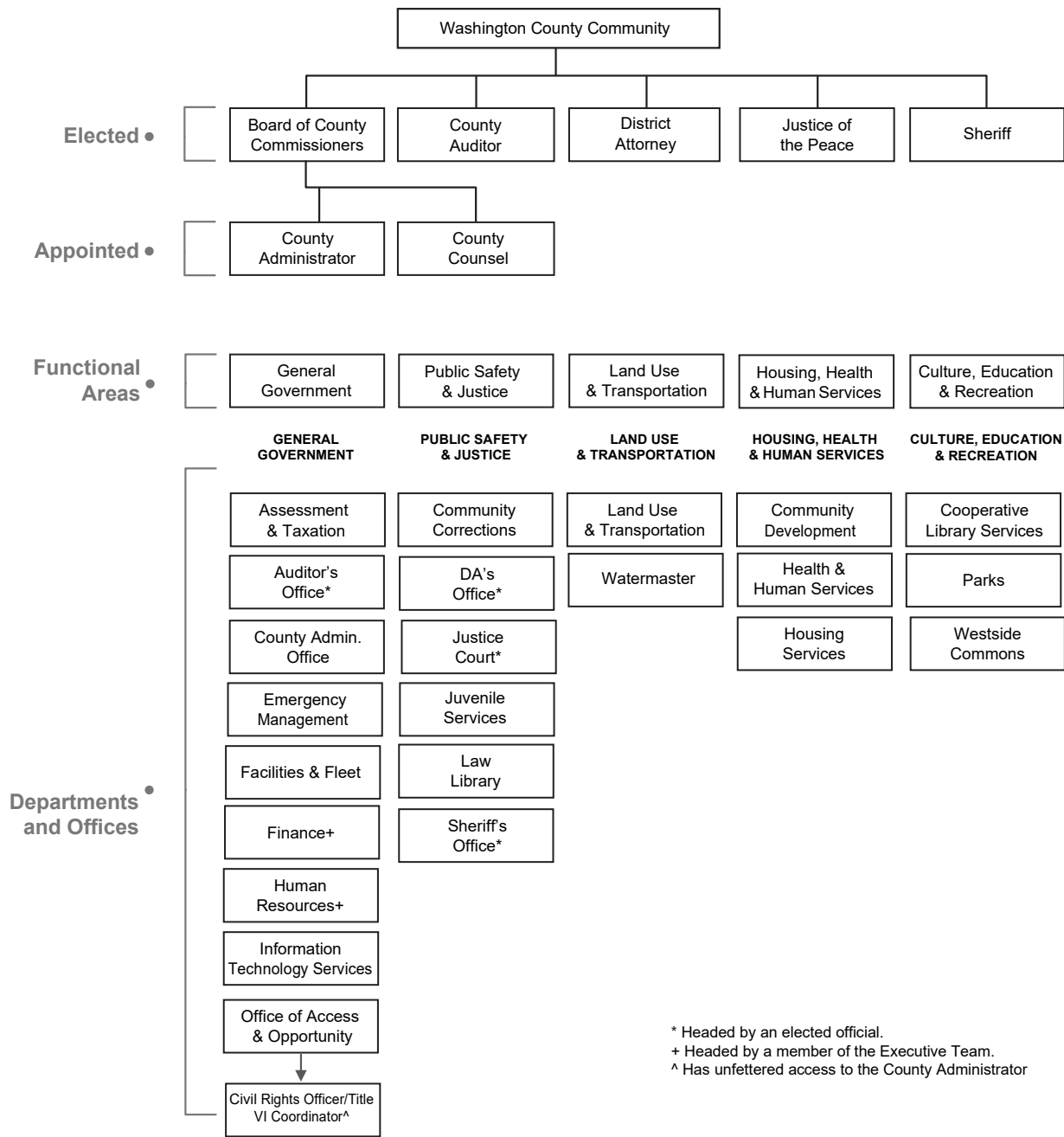
In 2020, Washington County created a designated role for compliance. Countywide efforts are led and coordinated through the Washington County OAO. The Civil Rights Officer is responsible for coordinating and implementing Title VI requirements across all Washington County departments, ensuring compliance, conducting annual training, and providing technical assistance to Washington County departments and Title VI information to the public. The Civil Rights Officer is also responsible for investigating Title VI complaints from the public.

For Federal Highway Administration (FHWA) Title VI complaints, the Civil Rights Officer must not dismiss or assess the merit of these cases without FHWA's expressed permission. The Federal Highway Administration (FHWA) requires recipients of federal highway funds to prepare an annual report to clarify accomplishments, roles, responsibilities, and procedures established to ensure compliance with Title VI of the Civil Rights Act of 1964; 23 CFR 200.9 (b) (10).

B. Organization Structure

See organizational chart on the next page.

Washington County Title VI Implementation Plan 2026



SECTION 3. ROLES AND RESPONSIBILITIES

Civil Rights Officer

The Civil Rights Officer is responsible for the administration of the Washington County's Title VI program in coordination with the County's Civil Rights Committee and county departments. Internally, the civil rights program is responsible for countywide guidance, technical assistance, and trainings. Civil Rights Officer advises county departments and leaders on civil rights matters and meets regularly with Title VI department liaisons to review and discuss departmental Title VI compliance. The Civil Rights Officers is responsible for staff training on Title VI, Title VII and Language Access and fulfills reporting requirements. Civil Rights Officer's other duties include:

Review and Update Title VI Plan: The Civil Rights Officer works with departments liaisons and leaders to coordinate and update the Title VI Plan as required by law.

Data: Periodically reviews the statistical data gathering processes performed by the County's Title VI liaisons to ensure sufficiency of data for meeting the requirements of the Title VI program administration. The source of data will be the U.S. Census data.

Federally Required Reporting: Periodically conducts reviews of the Washington County's Title VI Program to assess for Title VI compliance and works with the Title VI Program Area Liaisons annually to assure their effectiveness in compliance with Title VI provisions. This includes review of departmental reporting to federal agencies as required.

Public Dissemination: Works with Washington County staff to develop and disseminate Title VI program information to Washington County employees and subrecipients, including contractors, subcontractors, consultants, and subconsultants and beneficiaries, as well as the public.

All departments: Through collective efforts advanced by One Washington County Strategic plan, all departments within the County are responsible for leading specific aspects of the County's Title VI Plan and collaborating with the Civil Rights Officer to respond to State and Federal legal requirements.

SECTION 4. PROGRAM AREAS

A. Overview

Title VI Program Areas are listed below with each responsible department. Departments are responsible for designating staff to act as Title VI Program Liaisons to work with the Civil Rights Officer. The liaisons provide department specific program monitoring, data collection, and reporting, as well as dissemination of Title VI information within their respective departments. While not all Washington County departments are listed below, every Washington County department is responsible for adherence to Title VI. For all other Washington County departments, the department Director or other designee will assist with dissemination of Title VI materials to staff and the public.

B. Transportation Title VI Program – Washington County Department of Land Use & Transportation (LUT)

The Washington County Department of Land Use Transportation is responsible for all Title VI program areas pertaining to capital project, planning, environmental activities, right-of-way, construction and maintenance, and design of transportation infrastructure, as well as transit services delivered through Washington County-owned assets.

LUT is responsible for ensuring the County is compliant in fulfilling requirements set forth by the Federal Highway Administration in 23 CFR Part 200 and 49 CFR Part 21 and the Federal Transit Administration in Circular 4702.1B, Title VI Requirements and Guidelines including compliance with assurances relating to Washington County transportation activities.

The County's Civil Rights Officer is responsible for the following activities relating to LUT:

- a. **Coordination** – Coordinate with all whose work directly relates to Title VI.
- b. **Data Collection** – Review the statistical data-gathering process performed by staff to ensure sufficiency of data for meeting the requirements of the Title VI.
- c. **Title VI Plan Update** – Civil Rights Officer updates Title VI Plan as needed every three years or amended to comply with ODOT, or other federal agencies as required.
- d. **FHWA Accomplishments Reports** – Coordinate and support annually with the submissions of reports to ODOT (for FHWA) at the proper required times.

SECTION 5. PUBLIC INVOLVEMENT REQUIREMENTS

As expressed in the Washington County Strategic Plan, Washington County strives to ensure meaningful public engagement. Public participation provides decision makers with a wide range of insights and perspectives that serve to inform policy and program development and implementation. The Best Practices for Public Involvement, as summarized below, provide guidelines to inform the process of effective public involvement.

Washington County - Best Practices for Public Involvement

1. Clarify a project's purpose, objectives, and anticipated outcomes. Clarity around a project's purpose and desired outcomes is fundamental to crafting an appropriate, meaningful, and efficient public involvement strategy.
2. Identify the public participation objectives. Consider where on the continuum of public participation the project sits. For example, is the objective to inform the public, to obtain feedback from the public, or to directly engage the public in discussions.
3. Clearly identify the stakeholders and various parties who may be affected by the program or project so the public involvement effort will provide opportunities for meaningful involvement of all potentially affected people. This effort requires consideration of the potential impacts to historically underrepresented persons, including those with limited English proficiency, low-income persons.
4. Develop a public involvement plan. Focus on clearly stating what you are asking of the public and other stakeholders, building, and maintaining relationships, reducing barriers to participation, choosing appropriate public involvement tools for the identified audience(s), and considering external review of draft project public involvement plans.
5. Implement and adapt as needed. Make ongoing adjustments to ensure meaningful opportunities are provided for engagement of people and communities that will be affected.
6. Provide feedback to the community. Throughout the planning/project period, provide feedback to participants and the broader community about information received from the public and how that impacted county decisions.
7. Report and evaluate shared public comments with decision makers to inform their decisions. Evaluate the public involvement effort to determine what worked and did not work to learn from the process.

As an example of the County's commitment to public involvement, on October 7, 2014, the Board of Commissioners adopted the **Public Involvement Guidelines for Transportation Planning, Programs and Projects**. The County also supports a wide range of additional involvement efforts, including, but not limited to, Community Participation Organizations, advisory boards and commissions and a range of public meetings/open houses. Washington County will consistently notify the public of the protections provided by Title VI and related statutes and will provide information on how to become involved in County.

Statement on Limited English Proficiency. Washington County's Language Access Program seeks to help all immigrant and refugee residents, regardless of English proficiency, experience

meaningful and equitable access to Washington County information, programs, services, and civic engagement.

SECTION 6. LIMITED ENGLISH PROFICIENCY AND MEANINGFUL ACCESS

The county's Language Access Policy (207/207A) aims to:

- a. Foster a welcoming environment through culturally responsive communications from Washington County departments and staff so that immigrants, refugees, and all minority residents truly feel represented.
- b. Ensure Washington County's alert messaging system has language capabilities to prepare community members to effectively respond to imminent emergencies.
- c. Establish meaningful two-way communication for community members to receive information and provide feedback.
- d. Update the list of primary and emerging languages based on the best available data, including the American Community Survey from the U.S. Census Bureau.
- e. During a crisis, emergency, or public safety situation, all affected departments shall make it a priority to offer language access services and, when feasible, ensure bilingual staff are present and available to assist non-English speaking residents with critical language needs.
- f. If a crisis, emergency, or public safety situation requires the conspicuous posting of warning signs, the relevant department must translate those signs into the appropriate primary and emerging languages according to neighborhood demographics. County provided tools to help prepare for emergencies can be [found here](#).

Accessibility and Design. Washington County ensures all people have access to facilities, programs, and services by directing and supporting departments and offices that manage, design, construct, alter, maintain, and lease Washington County facilities and properties to comply with accessible design requirements and provide accessible services.

Modifications to Policies and Procedures. Washington County will make reasonable modifications to policies and procedures to ensure people with disabilities have an equal opportunity to enjoy the benefits of Washington County's programs, services, and activities. People with disabilities needing an auxiliary aid or service for effective communication, or a modification of a policy or procedure to participate in a Washington County program, service, or activity should contact the managers of specific programs or Civil Rights Officer **Adrian_Manriquez@washingtoncountyor.gov**

Effective Communication. Washington County will generally, upon request, provide appropriate aids and services.

SECTION 7. CIVIL RIGHT GRIEVANCES

First, FHWA notes that FHWA Division Offices do not investigate Title VI complaints. Likewise, Recipients, such as State DOTs, and Subrecipients, such as Washington County, do not investigate complaints filed against themselves. Finally, FHWA is responsible for all decisions regarding whether a complaint should be accepted, dismissed, or referred to another agency. Washington County 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 Washington County [webpage](#) regarding countywide policies, procedures, and resources.

Web-based Discrimination Complaint Form: [EthicsPoint - Washington County, Oregon](#)

Washington County's Discrimination Complaint Process Overview informs members of the public that they have a right to file a complaint with Washington County 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 and Opportunity if they need assistance, alternate formats, or translation. Washington County will confirm receipt of the complaint within 10 working days.

FHWA's Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964 provides steps for investigating and resolving the complaints.

All complaints will be routed to the FHWA Headquarters Office of Civil Rights (HCR) for processing. HCR 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.

Complaints will be forwarded from the initial receiving agency through the Federal aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with a Subrecipient City, that receiving agency should forward the complaint to the State DOT, which should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR. If a complaint is filed with a State DOT, then the State DOT should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR.

State DOTs and Subrecipients must log all complaints received.

When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, State DOT, and Subrecipient (where applicable).

Washington County 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, or disability, allegation(s)); complaint date; date of Report of Investigation; determination made and date; and any other relevant information as deemed appropriate. Washington County also maintains case files of complaint investigations.

The Federal Transit Administration encourages filing a complaint directly with a transit provider and works with direct recipients and subrecipients of FTA funds to resolve complaints at the level closest to service as possible. Title VI Complaints are handled at the local level starting with the transit providers and should be forwarded to ODOT who will involve FTA when required.

Washington County makes case files, and the complaint log available to the FHWA or FTA upon request.

APPENDIX A: SIGNED ASSURANCES

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

Assurances

DOT Order No. 1050.2A

The **Washington County, Oregon** (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 High Administration (FHWA) and/or the Oregon Department of Transportation (ODOT)**, 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 **FHWA and/or ODOT.**"*

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 **Land Use and Transportation Department**:

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 **Land Use and Transportation Department** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"**Washington County**, 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, **Washington County** 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 **Oregon Department of Transportation** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **Oregon Department of Transportation**. You must keep records, reports, and submit the material for review upon request to **Oregon Department of Transportation**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Washington County 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 **Land Use and Transportation Department**. 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 **Land Use and Transportation Department**. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Washington County

(Name of Recipient)

Digitally signed by Tanya
 by Tanya Ange
(Signature of Authorized Official)

DATED 02/10/2026

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 (FHWA) and/or the Oregon Department of Transportation (ODOT)**, 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 **FHWA and/or ODOT** 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 **FHWA and/or ODOT** 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 **FHWA and/or ODOT** 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 **FHWA and/or ODOT** 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 **Washington County** will accept title to the lands and maintain the project constructed thereon in accordance with the **Oregon Legislature**, the Regulations for the Administration of the **Land Use and Transportation Department**, and the policies and procedures prescribed by the **FHWA and/or ODOT** 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 **Washington County** 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 **Washington County** 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 **Washington County**, its successors and assigns.

Washington County, 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 **Washington County** will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

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

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by **Washington County** 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, **Washington County** 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 **Washington County** 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 **Washington County** 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 **Washington County** 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, **Washington County** 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, **Washington County** will there upon revert to and vest in and become the absolute property of **Washington County** 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).