



City of North Bend Title VI Report

Time Period: July 2023 through June 2024

Prepared for:

WSDOT Office of Equity and Civil Rights

310 Maple Park Avenue SE

Olympia, Washington 98501

August 30, 2024

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Report for July 2023 through June 2024

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): [Mayor Miller](#)

Mailing Address: [920 SE Cedar Falls Way](#)

City: [North Bend](#) [WA](#) Zip Code: [98045](#) County: [USA](#)

Phone #: [\(425\) 888-1211](#) email address: MMiller@northbendwa.gov

Name and title of head of transportation-related services: [Mark Rigos](#)

Mailing Address: [920 SE Cedar Falls Way](#)

City: [North Bend](#) [WA](#) Zip Code: [98045](#) County: [USA](#)

Phone #: [\(425\) 888-1211](#) email address: mrigos@northbendwa.gov

Name and title of designated Title VI coordinator*: [Tom Mohr, PE, Deputy Public Works Director](#)

Mailing Address: [920 SE Cedar Falls Way](#)

City: [North Bend](#) [WA](#) Zip Code: [98045](#) County: [USA](#)

Phone #: [\(425\) 888-1211](#) email address: tmohr@northbendwa.gov

*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. [No](#).
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. [See attached organizational chart \(Attachment C\)](#). [Demographic data unknown](#).

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. [See attached map \(Attachment D\).](#)

Total Estimated Population: 8,260 – 2024 Estimate based on the 2020 Census.

Population Demographic Data Estimate:

- White: 6,704
- American Indian: 67
- Asian: 337
- Black or African American: 63
- Hispanic or Latino: 677
- Native Hawaiian or other Pacific Islander: 16
- Some Other Race: 239
- Populations of Two or More Races: 154

Of these reported populations, approximately 13.4% of people speak a language other than English in their home, with 9.9% being Spanish. 1.9% speak other Indo-European languages and 1.7% speak Asian and/or pacific islander languages. In all, approximately 1,107 people in North Bend speak a language other than English in their home.

6.1% of people in North Bend are below the poverty line, however, the median household income is 171,078 which is greater than the median household income in Washington by \$79,772. Most people experiencing poverty are aged 65 or older.

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). [No complaints.](#)
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.
- An ADA Transition Plan is being completed for the City of North Bend. There is an online open house which includes a survey that has an option to be completed in Spanish. This survey can be found at NorthbendADA.com.
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). [None.](#)

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

- Terra Property Analytics, Steve Price, Principal - Race, color & national origin unknown.
- Sova Consulting, Matthew Sloan, Principal – Race, color & national origin unknown.

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. Yes, see list below. Data summaries not provided relative to ethnicity, race or languages spoken or income levels.

- Pavement Management Budget Options Report – Capitol Asset & Pavement Services
- ADA Transition Plan – Transpo Group (In Progress, will be completed in 2025)

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..

See attached Capital Projects update sheet (Attachment C) and the Capital Projects Map (Attachment E).

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.

- City regular Council Meetings – 1st and 3rd Tuesdays of the month @ 7pm; City Hall – 920 SE Cedar Falls Way, North Bend, WA 98045; attendance is promoted via postings at City Hall, the King County Public library, US Post Office, the City website, and various social media outlets.
- Work Study Meetings - 4th Tuesdays of the month at 7pm, City Hall – 920 SE Cedar Falls Way, North Bend, WA 98045;
- Committee Meetings once monthly - various days as posted at City Hall, the Public Library, US Post Office and the City Website.

Identify members of the LPA's transportation planning and/or advisory groups by race, color, and national origin

- The City's Transportation & Public Works Committee is the primary group that recommends projects to move forward to City Council for formal approval. The group members are appointed by the Mayor each calendar year, from the City Council. For 2024, the following City Council members represented the Transportation & Public Works Committee as follows:
 - Councilmember Koellen – demographic data unknown
 - Councilmember Jocelyn – demographic data unknown
 - Councilmember Torguson – demographic data unknown

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. [None](#).

List any language assistance services requested. For which languages? Who provided the service? In addition, list vital documents translated during the reporting period and identify the languages. [None](#).

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).

- City of North Bend process used to advertise/award projects follow the WSDOT LAG manual for compliance with federal grant funds is via the lowest bid method for responsible and responsive bids submitted.
- For Consultant contracts, the City uses the MRSC rosters and solicits Statement of Qualifications; responsive consultants are then interviewed, and selection is based upon project experience, responsiveness to solicitation and other project variables including sub-consultants utilized.

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?)

City of North Bend advertises with the local newspaper(s), with Builders Exchange and the Daily Journal of Commerce for construction contractor/consultants utilized for agency projects. All contractors are reviewed for compliance with Title VI. Title VI language is included in our [General Services Agreement](#) here:

12. Discrimination Prohibited. Contractor shall comply with all Equal Employment Opportunity regulations and shall not discriminate against any employee, applicant for employment, or any person seeking the services of Contractor on the basis of race, color, religion, creed, sex, age, national origin, marital status or the presence of any sensory, mental or physical handicap.

And in our [Professional Services Agreement](#) here:

12. Discrimination Prohibited. Consultant shall not discriminate against any employee, applicant for employment, or any person seeking Consultant's services under this Agreement on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

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).

[See Attachment F.](#)

14. Education & Training – Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status. Title VI specialist Carrie Smith who supports the Public Works department viewed and shared the videos / trainings listed below that were also viewed by Mark Rigos, Title VI Coordinator.

List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training. Title VI Coordinator Mark Rigos, PE, Public Works Director watched multiple training videos including:

- Environmental Justice, Title VI, and Limited English Proficiency: basics, process, and determination – WSDOT; June 2023
- Our Commitment to diversity and environmental justice – WSDOT; June 2023
- Environmental Justice Training – WSDOT; June 2023
- Title VI Basics for LPA's – WSDOT Slides; June 2023

Mike Mayen and Carrie Smith will be attending the Title IV Training held by WSDOT on September 19th. Demographic data unknown.

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 internal training was conducted for Title VI, however, City staff is attending a training in September.

List other civil rights training conducted locally. Provide dates and a list of participants by job title and Title VI role, if applicable. None.

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.

Agency staff will attend Title VI on September 19th 2024. Staff will also ensure with our City Attorney that appropriate contract language is current and comprehensive in regard to Title VI compliance.



Letter of Intent to Comply with WSDOT Title VI Plan

In lieu of adopting a Title VI Plan, the CITY OF NORTH BEND

agrees to comply with the WSDOT Title VI Plan.

The CITY OF NORTH BEND assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The CITY OF NORTH BEND further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

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/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988).

In the event the CITY OF NORTH BEND distributes federal aid funds to a sub-recipient, the CITY OF NORTH BEND of will include Title VI language in all written agreements and will monitor for compliance.

The CITY OF NORTH BEND is responsible for initiating and monitoring Title VI activities, collecting data, preparing reports (including Appendix 28.93) and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation, WSDOT Title VI Plan, and the WSDOT Local Area Guidelines manual.


Signature

DIRECTOR OF PUBLIC WORKS

Title

MR. MARK RIGOS/ DIRECTOR OF PUBLIC WORKS

Name and Title of Public Works/Transportation Manager

MR. TOM MOHR

Name and Title of Title VI Coordinator

8/20/24
Date Executed

mrigos@northbendwa.gov

Email Address

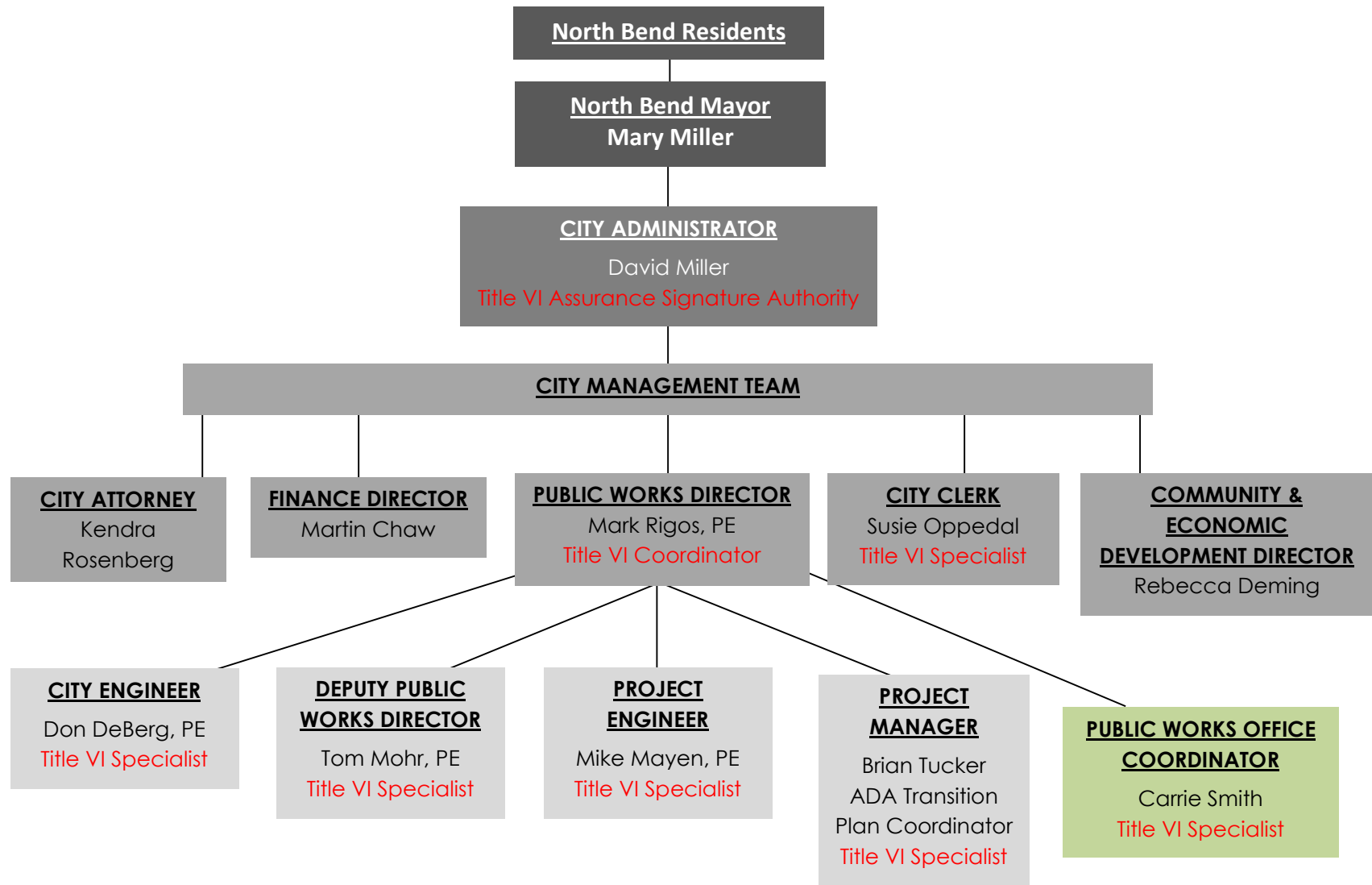
tmohr@northbendwa.gov

Email Address

Required Attachment: signed, unaltered USDOT1050.2a, Standard Title VI Assurances

Attachment B

Attachment A 2024 CITY OF NORTH BEND TITLE VI ORGANIZATION CHART



Attachment C

City of North Bend Capital Projects Update

Updated August 2024

WWTP Phase 1 and 2 Improvements:

Construction Completed May 20024

As the highest priority project identified in the 2017 Wastewater System Facilities Plan, this project will construct a new UV building, additional clarifier, new oxidation ditches, new digester, new electrical room and new headworks.

Stilson Ave SE Sidewalk Improvements & Cedar Falls Way Crosswalk Project:

Construction Completed September 2023

Approximately 600 feet of new curb, gutter, and sidewalk on west side of Stilson Ave SE from entrance to Opstad Elementary to Cedar Falls Way including crosswalks on Stilson Ave SE and Cedar Falls Way.

Roundabout at 436th Ave SE/ SE 136th Street:

Construction Complete June 2023

River Run Multi-Family Development going in on the NE corner of the intersection installing roundabout at intersection to raise Level of Service with addition of multi-family development.

Maloney Grove Ave – Cedar Falls Way Intersection Improvements:

Construction Complete September 2023

Addition of curb, gutter, and sidewalk along east side of Maloney Grove Avenue to the intersection with Cedar Falls Way including crosswalks to complete a sidewalk gap.

South Fork Ave / Nintendo Bypass Project:

Design 2022-2025

Approximately 3,500 feet of new bypass roadway along the left bank of the South Fork Snoqualmie River between Bendigo Blvd (SR202) and North Bend Way.

Cedar Falls Way Sidewalk:

Design 2023-2024 and Construction Completion anticipated for September 2024

Approximately 550 feet of new curb, gutter, and sidewalk on the south side of Cedar Falls Way from Mountain View Boulevard to Mt Tenerife Drive. Additional infrastructure such as bioswales, street lights and new driveway aprons were installed.

North Bend Way Sidewalk:

Design 2023-2024 and Construction Completion anticipated for September 2024

Approximately 800 feet of new curb, gutter, and sidewalk on the north side of North Bend Way from the Snoqualmie Valley Trail Intersection to Tanner Road. In addition, Existing guardrail was replaced with this project and a grind/overlay will be completed.

SE 140th Sidewalk:

Design 2023-2024 and Construction Completion anticipated for October 2024

Approximately 400 feet of new curb, gutter, and sidewalk on the west side of SE 140th St from the Snoqualmie Valley Trail Intersection to Tanner Road. Additionally a section of road on the west side will be removed and replaced.

Orchard Drive Sidewalk:

Design 2023-2024 and Construction Completion anticipated for October 2024

Approximately 800 feet of new curb, gutter, and sidewalk on the south side of Orchard Drive from just east of Riverside Drive to Meadow Drive. Overhead power will be installed in a joint utility trench and sewer improvements will also be completed.

Roundabout at Bendigo Blvd (SR202) / Mt Si Blvd:

Design 2022-2024 and Construction in 2025

New Roundabout at Bendigo Blvd (SR202) – Mt Si Blvd intersection including sidewalks/shared use paths, bike lanes, new curb & gutter and ADA ramps.

Roundabout at North Bend Way/Mt Si Road:

Design 2024-2025 and Construction in 2026

New Roundabout at Bendigo Blvd (SR202) – Mt Si Blvd intersection including sidewalks/shared use paths, bike lanes, new curb & gutter and ADA ramps.

Tanner Trail along North Bend Way:

Design in 2023-2024 and Construction in 2025

Approximately 6,000 feet of new trail along south side of North Bend Way connecting the current Tanner Trail and Snoqualmie Valley Trail.

2025 Sidewalk Gaps Project:

Design in 2024-2025 and Construction in 2025.

Curb, Gutter and Sidewalk improvement projects including 750' along the east side of Thrasher Ave from NE 2nd street to North Bend Way, 3,400 feet on the North Side of SE 140th from Eagles Nest Placve SE to the west side of the new Ichijo Development and 800' on the north side of North Bend Way between Dahlgren Park and Snoqualmie Valley Trail.

5th, 6th and Main Sidewalk, Road Reconstruction and Water Main Replacement Project:

Design in 2024-2025 and Construction in 2025.

Curb, gutter and sidewalk is proposed on 5th, 6th and Main Street to the west of Ballarat Ave and north of 4th Street. Water main is to be replaced in 5th, 6th, Main and Pierce with the project. Additionally, the SVT intersection of Main Street is to be lowered which will involve partially regarding Main Street north and south of the trail intersection. 5th Street between Main and Ballarat is proposed to be lowered a foot. This project also involves various stormwater improvements and potential Overhead Power undergrounding.

Stilson Sidewalk Project:

Design in 2024-2025 and Construction TBD.

Curb, gutter and sidewalk is proposed along the west side of Stilson Ave from North Bend Way to Cedar Falls Way. A possible connection to the RRFB crossing to the east of Stilson Ave on Cedar Falls Way will be looked into as well.

2024 Overlay Project

Design in 2023-2024 and Construction Anticipated to be Complete in September 2024.

2" grind and inlay to be completed on the entire Cedar Falls Way and a 2" overlay to be completed on Ballarat Ave between 6th Street and SE 108th Street. Additional removal and replacement of failed road sections is proposed along both stretches of road.

2024 RRFB Project

Design in 2023-2024 and Construction Anticipated to be Complete in September 2024.

Three Rectangular Rapid Flashing Beacons will be added to the SVT/Mt Si Road, SVT/Ballarat Ave, and Orchard Dr/North Bend Way intersections. In addition to these ADA upgrades will be made to all sidewalks where applicable.

North Bend Way Bridge Deck Repair

Design in 2023-2024 and Construction in 2025.

Repairs will be made to the two bridges crossing the South Fork of the Snoqualmie River and Ribery Creek along North Bend Way. Existing asphalt on either side of both bridges will be grind and inlaid along with the repairs.

Attachment D



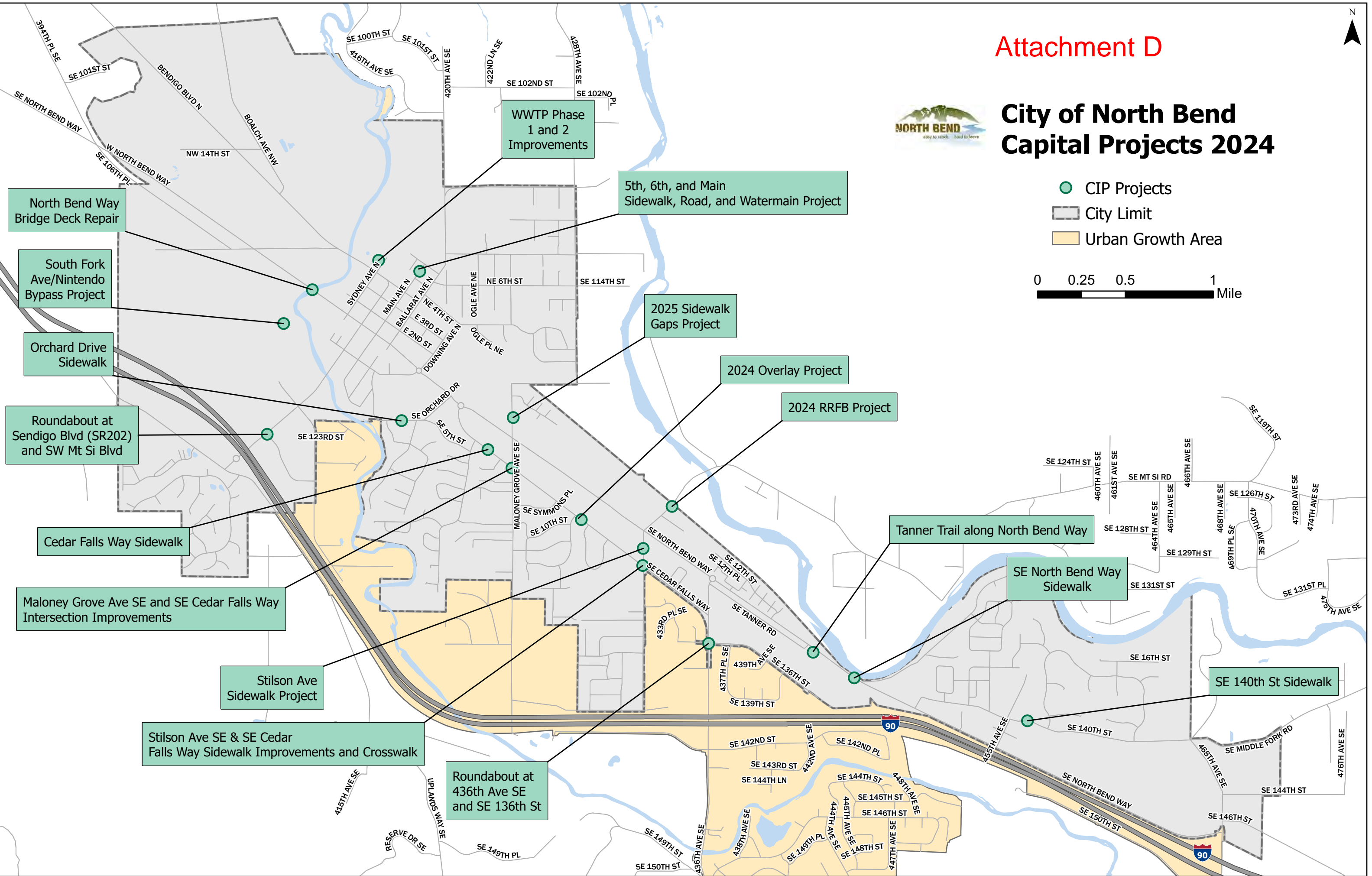
City of North Bend Capital Projects 2024

● CIP Projects

▭ City Limit

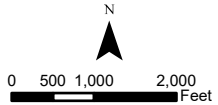
▭ Urban Growth Area

0 0.25 0.5 1
Mile



Attachment E

City of North Bend Community Demographics

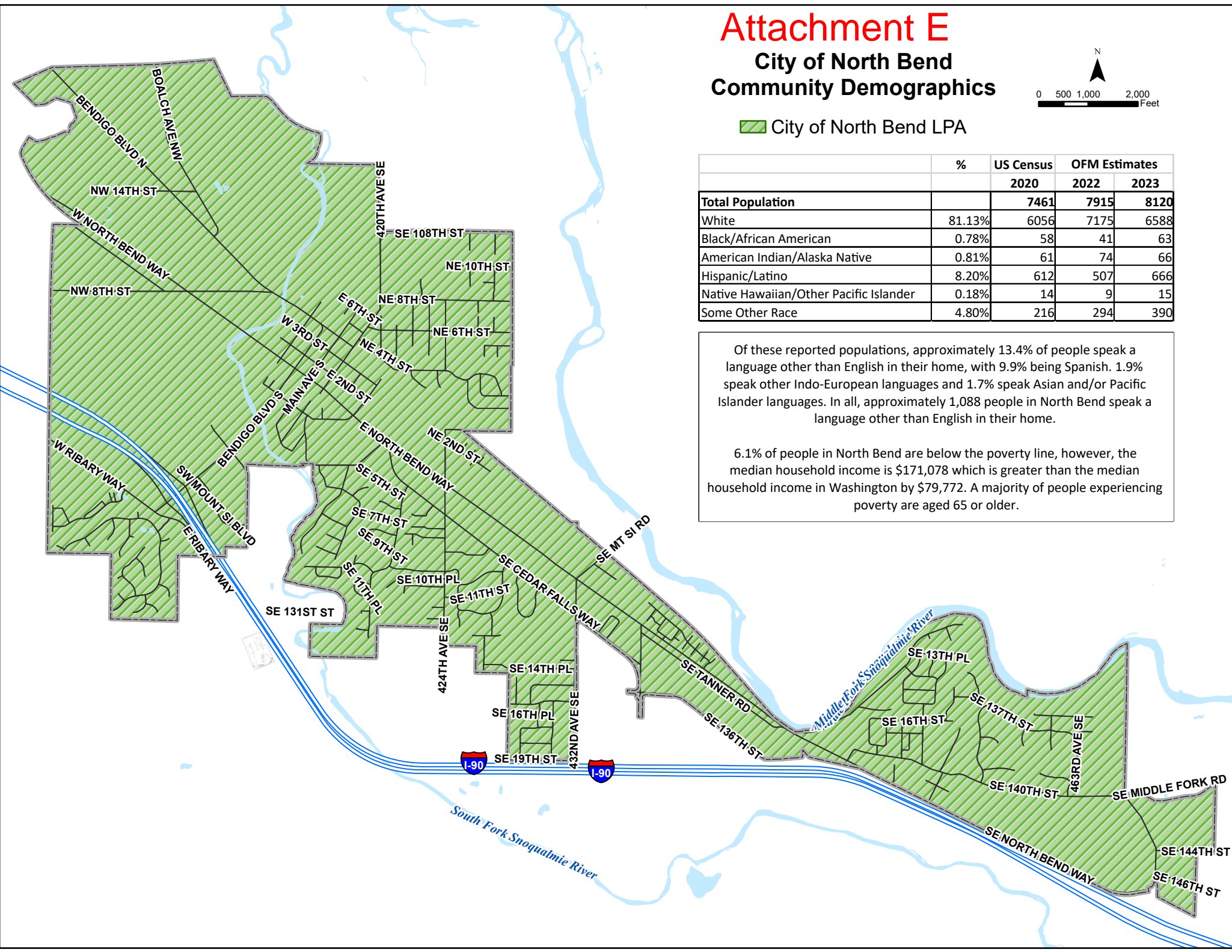


 City of North Bend LPA

	%	US Census 2020	OFM Estimates	
			2022	2023
Total Population		7461	7915	8120
White	81.13%	6056	7175	6588
Black/African American	0.78%	58	41	63
American Indian/Alaska Native	0.81%	61	74	66
Hispanic/Latino	8.20%	612	507	666
Native Hawaiian/Other Pacific Islander	0.18%	14	9	15
Some Other Race	4.80%	216	294	390

Of these reported populations, approximately 13.4% of people speak a language other than English in their home, with 9.9% being Spanish. 1.9% speak other Indo-European languages and 1.7% speak Asian and/or Pacific Islander languages. In all, approximately 1,088 people in North Bend speak a language other than English in their home.

6.1% of people in North Bend are below the poverty line, however, the median household income is \$171,078 which is greater than the median household income in Washington by \$79,772. A majority of people experiencing poverty are aged 65 or older.



City of North Bend Agreements/Contracts/Bonds/Licenses	Contract Number	Initiated	Expires (date)		Funding Source
Permabilt	2023-19	7/5/2023		Public Works Equipment Facilities, NTE \$345,307 + tax, 07/18/23 Change Order No. 1 Permitting Costs and 18" Overhang NTE 19,883 plus tax, 10/13/23 Change Order No. 2 Adding	
KBA, Inc.	2023-38	7/13/2023	12/31/2024	On-Call Construction Inspection Services, NTE \$25,000, 08/01/23 1st Amendment Increasing Amount by \$150,000 to \$175,000 Total by Council Motion,	
Gray & Osborne, Inc.	2023-42	7/20/2023	12/31/2024	Boxley Creek Sallal Intertie Design, NTE \$42,540	
Sascon, LLC	2023-47	8/8/2023		North Bend Bridge 1135-3 Scour Project NTE \$391,695 plus tax, 12/05/23 Project Accepted as Complete by Resolution 2091	
All Terrain Excavating, LLC	2023-46	8/11/2023		Alm Way Bridge Removal Project NTE \$118,981.32, 12/05/23 Project Accepted as Complete by Resolution 2090	
PH Consulting, LLC	2023-52	8/15/2023	12/31/2024	2024 Sidewalk Gap Project Design Services, NTE \$257,723.45, 08/XX/24 1st Amendment NB Way Added Area \$19,763.90, 08/XX/24 2nd Amendment NB Way Re-Grade \$5,090,	
Parametrix, Inc.	2023-56	9/19/2023	12/31/2024	Engineering Design for North Bend Way Bridge #1135-4, NTE \$164,200.70	
PH Consulting, LLC	2023-60	9/28/2023	12/31/2024	Park & Main Intersection Safety Analysis, NTE \$9,950	
Parametrix, Inc.	2023-55	10/9/2023	3/31/2024	Engineering Design for North Bend Way Bridge #1135-3, NTE \$222,148.42	
Westerlund Excavation, LLC	2023-61	10/9/2023		Old Si View to New Si View Trail Connection Project, NTE \$36,714, 12/05/23 Project Accepted as Complete by Resolution 2092	
Fury Site Works	2024-16	10/31/2023		Ground Work for Public Works Covered Equipment Shelter, NTE \$16,644.13	
Parametrix, Inc.	2023-65	11/7/2023	12/31/2025	Preliminary Engineering on the Middle Fork Flood Converyance, NTE \$435,750.15	
Bluestone Environmental NW	2023-68	11/20/2023	90 Days*	Phase 1 Environmental Site Assessment for 230 Main Ave. N, NTE \$3,500	
Rainier Asphalt Sealing, LLC	2023-73	12/12/2023	Upon Completion	Public Works Shop Equipment Shelter Paving, NTE \$24,808.43	
Asbestos Northwest, LLC	2023-74	12/14/2023	1/31/2024	Asbestos survey of the residence at 230 Main Ave N \$900	
Gray & Osborne, Inc.	2024-01	1/3/2024	12/31/2025	Design of NW 8th Street Watermain Project, NTE \$97,800	
Gray & Osborne, Inc.	2023-72	1/3/2024	12/31/2024	Design of SR-202 Shared Use Path Extension, NTE \$540,000	
WEST Consultants, Inc.	2024-05	1/16/2024	12/31/2024	Phase 1 Floodplain Study, NTE \$35,793	
KPFF	2023-71	1/18/2024	12/31/2025	Design of North Bend Way/Mt Si Road Roundabout Project, NTE \$414,302	

City of North Bend Agreements/Contracts/Bonds/Licenses	Contract Number	Initiated	Expires (date)		Funding Source
Capitol Asset & Pavement Management Services	2024-10	1/26/2024	12/31/2024	Pavement Management Analysis, Measurements, Assessment \$18,660	
BHC Consultants LLC	2024-09	2/6/2024	12/31/2026	On-Call Services for Building Permit Review and Inspection Services	
Gray & Osborne, Inc.	2024-12	2/12/2024	12/31/2025	Gardiner Creek at NW 8th Street Alternatives Analysis (flooding), NTE \$37,900	
Terracon Consultants, Inc.	2024-17	2/28/2024	12/31/2025	On-Call Contract Geotechnical Consulting Services, NTE 250,000	
PH Consulting, LLC	2024-21	3/6/2024	12/31/2024	2024 RRFB Projects, NTE \$37,600	
PH Consulting, LLC	2024-20	3/6/2024	12/31/2024	2024 Pavement Overlay Project, NTE \$87,600	
RH2 Engineering, Inc.	2024-23	3/13/2024	2/28/2026	Engineering Design Tanner Trail Extension, NTE \$224,536.62	
Parametrix, Inc.	2024-24	3/18/2024	2/28/2026	Engineering Design for the South Fork Ave Bypass and Starfish Roundabout, NTE \$1,066,604.73	
Site Workshop	2024-30	4/1/2024	12/31/2024	Landscape Conceptual Design Services for McClellan Alley Improvements/Ballararat Pedestrian Connection, NTE \$13,000, Amendment No. 1 - Additional Services \$4,655,	
Scott Holsapple Design, LLC	2024-41	4/14/2024	12/31/2024	Snoqualmie River Overlook Park Design Services, NTE \$9,000	
Transpo Group	2024-35	4/17/2024	12/31/2024	ADA Transition Plan for Public Right-of-Way, NTE \$89,980	
PH Consulting, LLC	2024-36	4/18/2024	12/31/2024	Public Outreach Main Ave S & W Park Street Intersection, NTE \$9,200	
Hydrevo, LLC	2024-45	5/19/2024	12/31/2024	Waterline Leak Detection Survey, NTE \$12,077.00	
Northwest Railway Museum	2024-44	5/22/2024		Design of Railway Crossings Project, NTE \$89,000	
Natural Design Landscaping, LLC	2024-43	5/23/2024	45 days after execution	Fence at Taylor Park NTE \$6,267.49, Change Order No. 1 - Fence Staining, NTE \$1,917.98, 07/09/24 Change Order No. 2 Fence Staining, NTE \$1,917.98	
West Coast Signals, Inc.	2024-40	6/4/2024	Project Completion	Street Light Replacement at NB Way & 436th Roundabout, NTE \$31,717 plus tax, 06/10/24 Change Order #1 2nd Knockdown Utility Pole Replacement NTE \$21,714	
Advanced Diving Services, Inc.	2024-47	6/6/2024		2024 Tank Cleaning, Inspection and Repairs on the tanks located at Forster Woods, Nintendo and I-90 Tank, NTE \$5,644.83	
Rainier Asphalt Sealing, LLC	2024-49	6/10/2024		2024 Sidewalk Gaps Project, NTE \$1,313,981.00	
Rainier Asphalt Sealing, LLC	2024-52	6/13/2024	Upon Completion	Park Street Driveway Removal, NTE \$14,975	
Maul Foster & Alongi, Inc.	2024-53	6/18/2024	6/30/2025	Park Street/Main Ave Intersection Communications Support (part of Park Street Corridor Project), NTE \$16,565	
SAM Companies	2023-41	12/31/2026	12/31/2026	On-Call for Survey Services, NTE \$100,000, 09/26/23 Work Order #2023-10 WH Taylor Park Boundary Survey & Property Staking NTE \$3,500, Work Order #2023-10 - Amedment #1 William H Taylor Park Boundary Survey \$6,300 Work Order #2023-12 - 230 Main Ave N	
PH Consulting, LLC	2024-39		12/31/2025	SR202 Sidewalk Gap Project, NTE \$61,500	

Attachment G

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

Assurances

DOT Order No. 1050.2A

The City of North Bend (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 Washington State Department of Transportation (WSDOT), 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 Washington State Department of Transportation."

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 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-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of North Bend, 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, City of North Bend 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 Washington State 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 Washington State Department of Transportation. You must keep records, reports, and submit the material for review upon request to Washington State 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.

City of North Bend 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 Washington State Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

City of North Bend
(**Name of Recipient**)

by 
(**Signature of Authorized Official**)

DATED 8-22-24

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, Washington State Department of Transportation, 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 Washington State Department of Transportation 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 Washington State Department of Transportation, 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 Washington State Department of Transportation 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 Washington State Department of Transportation 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 City of North Bend 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 Washington State Department of Transportation, 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 City of North Bend 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 City of North Bend 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 City of North Bend, its successors and assigns.

The City of North Bend, 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 City of North Bend 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 the City of North Bend 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, City of North Bend 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 City of North Bend 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 City of North Bend 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 City of North Bend 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, City of North Bend 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, City of North Bend will thereupon revert to and vest in and become the absolute property of City of North Bend 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.).