

Marion County Public Works

Federally Funded Transportation Program



Title VI Annual Accomplishment Report

Fiscal Year 2022-2023

Marion County Public Works Department **2022-2023 Title VI Annual Accomplishment Report**

I. INTRODUCTION

The Marion County Department of Public Works (MCPW) Engineering Division, Capital Projects Section, administers federally funded transportation projects as a Certified Local Public Agency (LPA). Marion County is fully certified in Design (not including Bridge Design); Direct Appoint Consultant Selection; Informal & Formal Consultant Selection; Advertisement, Bid and Award; and Construction Contract Administration.

Marion County has projects totaling more than \$50,000,000 programmed into the current Statewide Transportation Improvement Program (STIP). The following table lists the federally funded projects and the phases they were in as of June 30, 2023:

Key No.	Oregon STIP Federal-Aid Projects	Phase
17312	Traffic Signal Interconnects	Construction
18410	Silverton Road: Little Pudding River Bridge Replacement	Complete
18750	Hayesville Drive: NE Portland Rd - Fuhrer St	Construction
19237	45 th Ave: Ward Dr - Silverton Rd	Complete
19701	Marion County Ferry Boat Program, Phase 3	Construction
20666	Duck Flat Road Rail Crossing	Project Canceled
20743	Hollywood Dr: Silverton Rd to Greenfield Ln	Construction
20744	Cordon/Kuebler Corridor Study and Management Plan	Planning
20745	Lancaster Dr: Center St to Monroe Ave	Construction
21301	Center St.: Lancaster Dr. to 45th Pl. NE	Prelim. Engineering
21304	Connecticut Ave: Macleay Rd to Rickey St	Prelim. Engineering
21565	Silverton Rd. @ Desart Rd	Prelim. Engineering
21895	State St.: 4106 State St. to 46 th Ave.	Prelim. Engineering
21896	Delaney Rd.: Battle Creek Bridge	Prelim. Engineering
21998	Scotts Mills Road: Butte Creek Bridge	Prelim. Engineering
22002	Hazelgreen Road NE: Pudding River Bridge	Prelim. Engineering Right of Way
22003	Mill Creek Road Bridge	Prelim. Engineering Right of Way
22005	Rambler Drive SE: Little Pudding River Bridge	Prelim. Engineering
22493	Marion County Ferry Boat Program (Phase 3a)	Construction

Additionally, through ODOTs State Funded Local Projects (SFLP) program, Marion County has converted over \$6,600,000 in programmed federal funds to state funds for the following projects and will deliver them either in-house or through a full-service consultant.

Key No.	State Funded Local Projects (SFLP)	Phase
20296	River Road S: Willamette River (Independence) Bridge	Construction
20313	Meridian Road NE: Abiqua Creek Bridge	Construction
21994	French Prairie Road: Champoeg Creek Bridge	Prelim. Engineering

Marion County is also administering two federal-aid projects, totaling over \$10,000,000, funded through the FHWA Western Federal Lands Highway Division (WFLHD), which are not shown in the STIP:

Non-STIP Federal Aid Projects	Phase
North Fork Road Slide Stabilization	Prelim. Engineering
North Fork Road Paving	Complete

II. ORGANIZATION AND STAFFING CHANGES

This year, the Capital Projects Section welcomed the addition of four new permanent staff and two temporary staff. Starting with three Engineering Technician II's, all came with 10 – 20 years of road construction experience. Two of the new hires previously worked within the County Road Operations Team as Medium Equipment Operators. We also added to our team a Civil Engineering Associate 2, also known as Pavement Management Coordinator, who has over 16 years of experience in operations and environmental services. Furthermore, we hired two summer temps who are attending Oregon State University to obtain a Construction Engineering Management major and a Civil Engineering major.

The Traffic Engineering Section saw the addition of a new Data Specialist filling an open Civil Engineering Associate 2 vacancy. The section also hired seven Engineering Technician 1 temporary positions to collect Public Works asset data.

The Land Development Engineering and Permitting (LDEP) Section saw no departures or added any new permanent employees. A selection of Title VI training opportunities will be provided to all new employees in the upcoming reporting year.

Public Works has hired a Communication Coordinator to assist the county in implementing effective communication strategies on department issues and opportunities. This position prepares and produces public information and communications to increase awareness, understanding and involvement in county programs, activities, and resources. Posts to social media accounts, including Facebook and Twitter. Monitors social media for developments of interest to the mission of the department. Develops and issues press releases, department-wide and county-wide informational emails, periodic newsletters, and other documents.

Lani Radtke, MCPW Engineering Division Manager and County Engineer, provides oversight of the Title VI program as the Title VI Coordinator. The Capital Projects Manager oversees the Capital Projects Section, ensures implementation of Title VI activities, serves as the County's Certification Program Manager, and reports directly to the County Engineer.

Individual construction projects are implemented by the Capital Projects Section, which is comprised of the Capital Projects Manager, three Project Engineers, twelve Engineering Technicians and Civil Engineering Associates, one Office Specialist and temporary Engineering Technicians during the summer months. The Office Specialist, with management oversight, is now the responsible party for most Civil Rights monitoring and reporting duties.

III. TITLE VI EDUCATION AND TRAINING

Marion County has Title VI information available to the contracting, consultant and general population available on our website at the following link:

<https://www.co.marion.or.us/PW/Engineering/Pages/TitleVI.aspx>

With most Capital Projects employees being current with training needs for this year, all County employees are required to take annual “Harassment and Discrimination Free Workplace” training (County Policy 602).

Capital Projects discusses Title VI requirements during team staff meetings, and a full team training on the plan will occur in the winter of 2023.

IV. COMPLAINTS

The Marion County Department of Public Works is proud to report that it did not receive any formal or informal Title VI complaints during FY 2022 / 2023.

The County’s adopted Title VI Implementation Plan (updated in September 2021) lists procedures for addressing Title VI complaints. The Title VI Plan and the Title VI Complaint Reporting Form are accessible in English and in Spanish on the Marion County Department of Public Works website. Paper copies are available upon request at the Public Works building front desk and Engineering Technicians keep copies of the form at work sites during project construction.

Citizens can contact the Title VI Coordinator through the email address and phone number listed on the Civil Rights webpage. If a civil rights complaint is filed, the department documents the complaint in the Title VI Annual Log of Complaints and implements Title VI Plan procedures for resolution.

V. TITLE VI IMPLEMENTATION

1. Program or Project Development (Planning)

Title VI and other civil rights requirements are routinely considered in all of Marion County’s transportation planning efforts. Whether updating a transportation system plan, making land use and transportation decisions, or pursuing grant funding opportunities, the thoughtful application of Title VI objectives, environmental justice goals and ADA requirements are at the forefront. This process helps to ensure that projects moving ahead to design and construction are properly scoped, sufficiently funded and able to address the applicable civil rights requirements.

2. Preliminary Engineering (PE) Phase and Environmental Activities

Title VI and civil rights policies are also considered throughout the PE phase of each federal-aid project to ensure environmental impacts do not disproportionately affect minority and low-income populations and to ensure compliance with ADA requirements. Before the start of each federal-aid project, the ODOT Region 2 Environmental Coordinator (and other ODOT staff) evaluates demographic data from various sources, including the US Census Bureau and Oregon Department of Education, to identify potentially vulnerable populations, assess potential

impacts based on the project scope and magnitude, and issues guidance for achieving environmental compliance.

The research and guidance are documented in the Environmental Prospectus and the requirements therein are implemented by Marion County Project Engineers during the design phase of the project. Compliance verification is provided by the ODOT Region 2 Environmental Coordinator during review and approval of the project's environmental documents.

For this reporting year, all federal-aid transportation projects undertaken by Marion County Public Works were categorically excluded from requiring a project-specific environmental impact statement (EIS) or environmental assessment (EA).

Environmental studies and cultural resource surveys, engineering studies, engineering design and right-of-way acquisition are conducted during the PE Phase. Marion County uses the direct appoint/small purchase process to hire specialty, single-discipline consultants (i.e. environmental, geotechnical, hydraulics, etc.) for most of our in-house designed projects. When delivery schedules are critical and in-house capacity is limited, Marion County uses the formal consultant selection process to hire full-service consultants for many of our federal-aid projects. For FY 2022 / 2023, our consultant-delivered projects included:

- Lancaster Dr.: Center St. to Monroe Ave.
- Hollywood Dr.: Silverton Rd. to Greenfield Ln.
- River Rd. S: Willamette River (Independence) Bridge
- Hazelgreen Road NE: Pudding Rive Bridge
- Mill Creek Road Bridge
- Rambler Drive NE: Little Pudding River Bridge and
- North Fork Road Landslide Repairs
- Connecticut Ave: Macleay Rd to Rickey St. Silverton Rd. @ Desart Rd

The department makes every effort to hire Disadvantaged Business Enterprise (DBE) companies when possible and strictly adheres to ODOT's DBE goal criteria when hiring full-service consultants. Several DBE firms were subcontracted on our full-service A&E contracts as a result. The above-listed projects each had an 8.5% DBE goal requirement.

Public meetings are hosted early on to involve the public for each project to disseminate information and to create a forum for community participation. During this past year, meetings were held in-person at convenient and accessible locations such as neighborhood associations and our county office as well as virtually online. These meetings included the use of visuals to describe the plans such as video and/or PowerPoint presentation and all information was posted on-line. Meetings were hosted at convenient times to obtain participation from those most directly impacted. Reasonable access to technical information and public information was made available electronically through the public works website.

Meeting invitations were sent directly to landowners, residents and neighborhood associations that may be impacted by the project. This information is also posted on the public works website, Facebook, and in other public locations. If translation services are requested, the

county has staff that can accommodate Spanish translation requests. The county also has contracts with the AT&T Language Line and with a variety of written translation service providers for other translation needs.

Adequate analysis such as demographic studies and discussions on the impact on minority communities, as shown in the chart below, were made to anticipate language translation and offer translation services. Information available from local school districts was used to evaluate the projects.

Project/School	White	Hispanic	Other
Hazelgreen/Bethany Charter	89.7%	6.8%	0.7% Asian/Pacific Islander, Black 0.7%, Indian 0.7%, Two or More 1.5%
Hayesville/Yoshikai Elementary	17.46%	73.7%	Pacific Islander/Hawaiian 3%, Indian 0.4%, Black 1.5%, Asian/Pacific Islander 0.9%, Two or more 3.6%
Cordon Rd/Lamb Elementary	19.3%	77.7%	Black 1.1%, two or more 0.8%, Indian 0.5%, Pacific Islander/Hawaiian 0.5%
Scotts Mills/Scotts Mills Elementary	90.1%	5%	Two or more 4.3%, Black 0.7%
Rambler Bridge/Brooks Elementary	23%	68%	Muli Racial 5%, Black 2%, Asian 1%
Rambler/Gervais Elementary	23.9%	73.3%	Two or more 2%, Asian/Pacific Islander 0.6%, Black 0.3%
Center Street/Auburn Elementary	18.1%	72.6%	Pacific Islander/Hawaiian 3.2%, two or more 2.5%, Asian/Pacific Islander 1.6% Indian 1.1%, Black 0.9%
Center Street/Salem Academy	51%	6%	Pacific Islander/Hawaiian 23%, Two or More 10%, Asian/Pacific Islander 6%, Black 2%, Indian 1%, Unspecified 1%
Elma Av/Four Corners Elementary	17.1%	71.2%	Asian & Pacific Islander, 2.1%, Pacific Islander & Hawaiian 3.9%, Black 2.1% &, Indian 0.2%, & two or more 3.4%
Connecticut/Houck Middle School	25%	64%	Hawaiian & Pacific Islander 5%, Black, Asian, Indian, & two or more 6%
Hollywood/Blanchet Catholic School	65.7%	32.8%	Asian, Pacific Islander, Black 2.2%
Hollywood/McKay High	18.1%	69.6%	Pacific Islander 5.4%
Silverton Rd @ Desart	86.1%	9.9%	Two or More 8.8%, other 0.8%

During this reporting year, the Engineering Division hosted eleven in-person/virtual public meetings for the following federally funded projects and mailed 4,589 notices as shown below.

PROJECT	NOTICES MAILED
Connecticut Ae: Macleay Rd. to Rickey St.	418
Hazelgreen Bridge Replacement	483
Hayesville Dr: Portland Rd to Fuhrer St	500
Cordon Road Turn Lanes	978
Scotts Mills Bridge Replacement	241
Rambler Bridge Rehabilitation	245
Center Street: Lancaster to 46 th Pl	431

Silverton Left Turn Lane at Desart	124
Hollywood Dr: Silverton Rd to Greenfield Ln	804
Silverton Rd At Desart	124
Mill Creek Bridge Replacement	241

Meeting invitations were sent to landowners and other interested parties to explain the project and to invite community participation. Information about these projects was also posted on the Public Works website to gain as much public input as possible. In addition to letters and publicly available postings, Public Works sets informational signs out on the projects at least one week in advance that include the project name, meeting location, and date and time of the meeting. This information allows impacted populations that may not have a physical address within the project site to learn about the meeting and attend. Capital Projects has received feedback during public meetings that these signs improve awareness and increase our participation in the open houses.

These meetings, featuring a PowerPoint presentation, included drawings and information on the project budget, schedule, design concepts, potential impacts to homeowners, and self-reporting forms that included race and national origin were gathered at public meetings and placed in the project file. A method for electronic submission of comments was also provided to the public. As a note, all roadway plans now include detailed designs at each curb ramp rather than relying on references to standard drawings. This ensures that finished curb ramps meet all applicable ADA criteria.

3. Right-of-Way (RW) Phase

After environmental activities have been completed, the Project Engineer, with assistance from the County Surveyor, oversees right-of-way acquisition for each federally funded project. Right-of-way policies and procedures used during the acquisition process are governed by the ODOT Right of Way Manual, applicable sections of the Title VI Civil Rights Act of 1964, and the Uniform Relocation and Assistance Act of 1970 as amended.

Qualified ODOT-certified appraisers and acquisition agents were hired to appraise and acquire right-of-way for three federally funded transportation projects this past year. The County encourages the use of DBE companies for contracted right-of-way services, but no DBE companies were hired for this reporting year.

ODOT acquired right-of-way on behalf of the County for the Hayesville Dr. project, Lane County was hired to complete appraisals and a consultant handled the acquisition services for the Hollywood Dr. project, a consultant handled the acquisition of several commercial files for the Lancaster Dr. project, and a consultant is handling the acquisition needs for the Hazelgreen Road Bridge and Mill Creek Bridge projects. All correspondence is documented in the project file and employees reference Uniform Relocation and Assistance Act and Title VI policies throughout right-of-way acquisition.

Public works employees and contractors work directly with landowners during the acquisition process to discuss negotiation, relocation, and eminent domain proceedings. In this reporting

year, no eminent domain proceedings were initiated. If a landowner is to be relocated, Marion County provides ODOT relocation literature and Marion County Title VI assurances conforming to the ODOT Right-of-Way Manual. No landowners were relocated this year and no personal property was relocated.

The US Census Bureau and Oregon Department of Education demographic data from the PE Phase is used during the right-of-way phase to determine the presence of minority populations and predict language translation requirements in advance. Vital documents and most right-of-way form templates have been translated to Spanish and sent to consultants to use for the acquisition process. Translation services are offered for all public meetings although that service was not required for any meetings this past year.

4. Construction (CN) Phase and Maintenance Activities

The Capital Projects Section manages the construction phase of federally funded projects as a certified LPA. For each project, Title VI and civil rights compliance is tracked and reported to the ODOT Office of Civil Rights (OCR).

The OCR assigns a Disadvantaged Business Enterprise (DBE) and an On-the-Job Training (OJT) goal (if applicable) for each project and Marion County states the DBE and OJT goals in the project-specific Special Provisions, bid announcements and project advertisements. Once the project is awarded, ODOT-approved Title VI language is included in the award letter and the contractor is required to meet the stated DBE and OJT goals. Civil rights requirements are specified at project preconstruction meetings and the Capital Projects Section tracks Title VI and civil rights activities for all projects.

During the project Construction Phase, the Capital Projects Section notifies landowners and citizens of construction work through a variety of sources. A webpage with a map is created for each project and ongoing construction information is posted on the webpage. Construction information is sent to media sources through a press release and information is posted on the County social media. Construction notices are sent to landowners and emergency service providers with translation services offered. An Open House is held at the beginning of construction for the public and stakeholders on projects with larger community impacts.

- Six federally funded transportation projects were in the Construction Phase during this reporting year. The Marion County Ferry Boat Program (Phase 3) project was assigned a 0% goal, but one DBE subcontractor is being utilized. The Marion County Ferry Boat Program (Phase 3A) project had a 0% goal. The Hayesville Drive: NE Portland Rd – Fuhrer St project was assigned an 8% goal. The Traffic Signal Interconnects project had a 5% goal. The Lancaster Dr.: Center St. to Monroe Ave. project was assigned a 6% DBE goal. The Hollywood Dr.: Silverton Rd. to Greenfield Ln. project was assigned a 9% DBE goal. Subcontract and service letter approvals are issued for each project and DBE companies are identified for tracking.

Civil rights and prevailing wage compliance are tracked on the ODOT Civil Rights Tracking Log and the prevailing wage tracking workbook for all ODOT federal aid projects. Throughout the

project, engineers, technicians, and the office specialist reviewed Monthly Employment Utilization Report forms, Paid Summary Report forms, 3A Workplans, Commercially Useful Function forms, DBE Owner/Operator Trucking data and Employee Interviews.

VI. ACCOMPLISHMENTS

The most important accomplishment for this reporting year was the increase of attendance in public meetings through the visibility of informational signs, coordination amongst other cities and hosting public meetings virtually. It facilitated community participation to a boarder audience and communities. The visibility of informational signs provided information about when the public meeting was to take place. By coordinating with other cities, our notices were posted in their newsletter and website. Providing public meetings virtually made it accessible to ADA groups and allowed project managers to incorporate more graphics and visuals within their presentation that are easily understood by all audiences.

VII. GOALS FOR THE UPCOMING YEAR

1. Continue to provide internal and external Title VI training opportunities for Engineering Division staff, contractors, and stakeholders.
2. Continue to increase the number of attendances in public meetings.
3. Strive to contract for work with a greater number of DBE A&E firms.