

Application for Federal Assistance SF-424

*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application * If Revision, select appropriate letter(s): <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision * Other (Specify)
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*3. Date Received:	4. Applicant Identifier:
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5a. Federal Entity Identifier: 3-37-0056-TBD	5b. Federal Award Identifier:
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State Use Only:

6. Date Received by State:	7. State Application Identifier:
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8. APPLICANT INFORMATION:

*a. Legal Name:	
*b. Employer/Taxpayer Identification Number (EIN/TIN): 56-6002199	*c. UEI: CQ6KRLM4QQC1

d. Address:

*Street 1:	1000 Trade Drive
Street 2:	
*City:	RDU Airport
County/Parish:	Wake
*State: Province:	NC
*Country:	USA: United States
*Zip / Postal Code	27623-0000

e. Organizational Unit:

Department Name: RDUAA Office of the Chief Development Officer	Division Name:
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f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	*First Name: Ron
Middle Name:	
*Last Name:	Jewett
Suffix:	

Title: VP Facilities Asset Management

Organizational Affiliation:

***Telephone Number:** 919-840-7736 **Fax Number:**

***Email:** ron.jewett@rdu.com

Application for Federal Assistance SF-424

***9. Type of Applicant 1: Select Applicant Type:**

X: Other

Type of Applicant 2: Select Applicant Type:

Pick an applicant type

Type of Applicant 3: Select Applicant Type:

Pick an applicant type

*Other (Specify)

Airport Authority

***10. Name of Federal Agency:**

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

***12. Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

***15. Descriptive Title of Applicant's Project:**

North Cargo Taxilane Reconstruction (see attachment)

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

*a. Applicant: Fourth

*b. Program/Project:

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date:

*b. End Date:

18. Estimated Funding (\$):

*a. Federal	\$ 6,632,568
*b. Applicant	\$ 2,210,976
*c. State	\$ 0
*d. Local	\$ 0
*e. Other	\$ 0
*f. Program Income	
*g. TOTAL	\$ 8,843,544

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____.
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

***20. Is the Applicant Delinquent On Any Federal Debt?**

Yes No

If "Yes", explain:

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. *First Name: Michael
Middle Name: J
*Last Name: Landguth
Suffix:

*Title: President and Chief Executive Officer

*Telephone Number: 919-840-7700

Fax Number:

* Email: Michael.Landguth@rdu.com

*Signature of Authorized Representative:



*Date Signed:

3/30/2023

Application for Federal Assistance (Development and Equipment Projects)

PART II – PROJECT APPROVAL INFORMATION

Part II - SECTION A	
The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.	
Item 1. Does Sponsor maintain an active registration in the System for Award Management (www.SAM.gov)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Item 2. Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Item 3. Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Item 4. Will the project(s) covered by this request have impacts or effects on the environment that require mitigating measures? If yes, attach a summary listing of mitigating measures to this application and identify the name and date of the environmental document(s).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Item 5. Is the project covered by this request included in an approved Passenger Facility Charge (PFC) application or other Federal assistance program? If yes, please identify other funding sources by checking all applicable boxes.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
<input type="checkbox"/> The project is included in an <i>approved</i> PFC application. If included in an approved PFC application, does the application <i>only</i> address AIP matching share? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> The project is included in another Federal Assistance program. Its CFDA number is below.	
Item 6. Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply:	
<input type="checkbox"/> De Minimis rate of 10% as permitted by 2 CFR § 200.414.	
<input type="checkbox"/> Negotiated Rate equal to	% as approved by _____ (the Cognizant Agency) on _____ (Date) (2 CFR part 200, appendix VII).
<i>Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.</i>	

PART II - SECTION B

Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Authorized Representative shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

The Authority has instituted an Airport Height Zoning ordinance to protect the land use around the airport from obstructions to navigable airspace. The Authority also works collaboratively with adjoining local governments to assure, to the extent possible, land use compatibility with airport operations.

2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

Not applicable

3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows:

Not applicable

4. Consistency with Local Plans – The project is reasonably consistent with plans existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

Correct

5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located.

Correct

6. Consultation with Users – In making a decision to undertake an airport development project under Title 49, United States Code, it has consulted with airport users that will potentially be affected by the project (§ 47105(a)(2)).

Correct. The project is briefed monthly to airport users during the Airfield Rehabilitation Committee (ARC) meetings

7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

Not Applicable

8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

Not Applicable

PART II – SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

Not applicable

10. Land – (a) The sponsor holds the following property interest in the following areas of land, which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

All land impacted by this project is owned in fee simple by the Raleigh-Durham Airport Authority, Wake County, City of Raleigh, Durham County and City of Durham, either individually or jointly.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

Not applicable

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

Not applicable

¹ State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

PART III – BUDGET INFORMATION – CONSTRUCTION

SECTION A – GENERAL
1. Assistance Listing Number:
2. Functional or Other Breakout:

SECTION B – CALCULATION OF FEDERAL GRANT			
Cost Classification	Latest Approved Amount (Use only for revisions)	Adjustment + or (-) Amount (Use only for revisions)	Total Amount Required
1. Administration expense			
2. Preliminary expense			
3. Land, structures, right-of-way			
4. Architectural engineering basic fees			
5. Other Architectural engineering fees			
6. Project inspection fees			
7. Land development			
8. Relocation Expenses			
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			8,843,544
12. Equipment			
13. Miscellaneous			
14. Subtotal (Lines 1 through 13)			\$ 8,843,544
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			8,843,544
17. Less: Ineligible Exclusions (Section C, line 23 g.)			
18. Subtotal (Lines 16 through 17)			\$ 8,843,544
19. Federal Share requested of Line 18			6,632,658
20. Grantee share			2,210,886
21. Other shares			
22. TOTAL PROJECT (Lines 19, 20 & 21)			\$ 8,843,544

SECTION C – EXCLUSIONS	
23. Classification (Description of non-participating work)	Amount Ineligible for Participation
a.	
b.	
c.	
d.	
e.	
f.	
g. Total	

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE	
24. Grantee Share – Fund Categories	Amount
a. Securities	
b. Mortgages	
c. Appropriations (by Applicant)	
d. Bonds	
e. Tax Levies	
f. Non-Cash	
g. Other (Explain): Cash on Hand	2,210,886
h. TOTAL - Grantee share	
25. Other Shares	Amount
a. State	
b. Other	
c. TOTAL - Other Shares	
26. TOTAL NON-FEDERAL FINANCING	

SECTION E – REMARKS (Attach sheets if additional space is required)

PART IV – PROGRAM NARRATIVE
(Suggested Format)

PROJECT: North Cargo Taxilane Reconstruction
AIRPORT: Raleigh-Durham International
1. Objective: See Attached
2. Benefits Anticipated:
3. Approach: (See approved Scope of Work in Final Application)
4. Geographic Location:
5. If Applicable, Provide Additional Information:
6. Sponsor's Representative: (include address & telephone number)

**AIP Project Grant Pre-Application
Project Narrative FAA AIP 3-37-0056-TBD**

The concrete pavement that comprises the North Cargo ramp is distressed due to age primarily and is also exhibiting load-related full-depth cracking, most notably in the taxilane. Replacement of the ramp will be programmed in several different phases and executed over a number of years. The Authority’s first project in the program involves replacement of the taxilane portion of the ramp. The taxilane’s PCI was 60 in 2019 and projected to be 56 by 2023. The extent of the work is illustrated below.

In order to maintain Air Cargo operations, construction will be sequenced in seven phases as shown below. Construction will take place over two construction seasons, with the ramp being fully available to the Cargo Operators during the months of December and January, in which the full capacity of the ramp is necessary.

Total Construction cost is anticipated to be \$29,724,196 broken down as follows

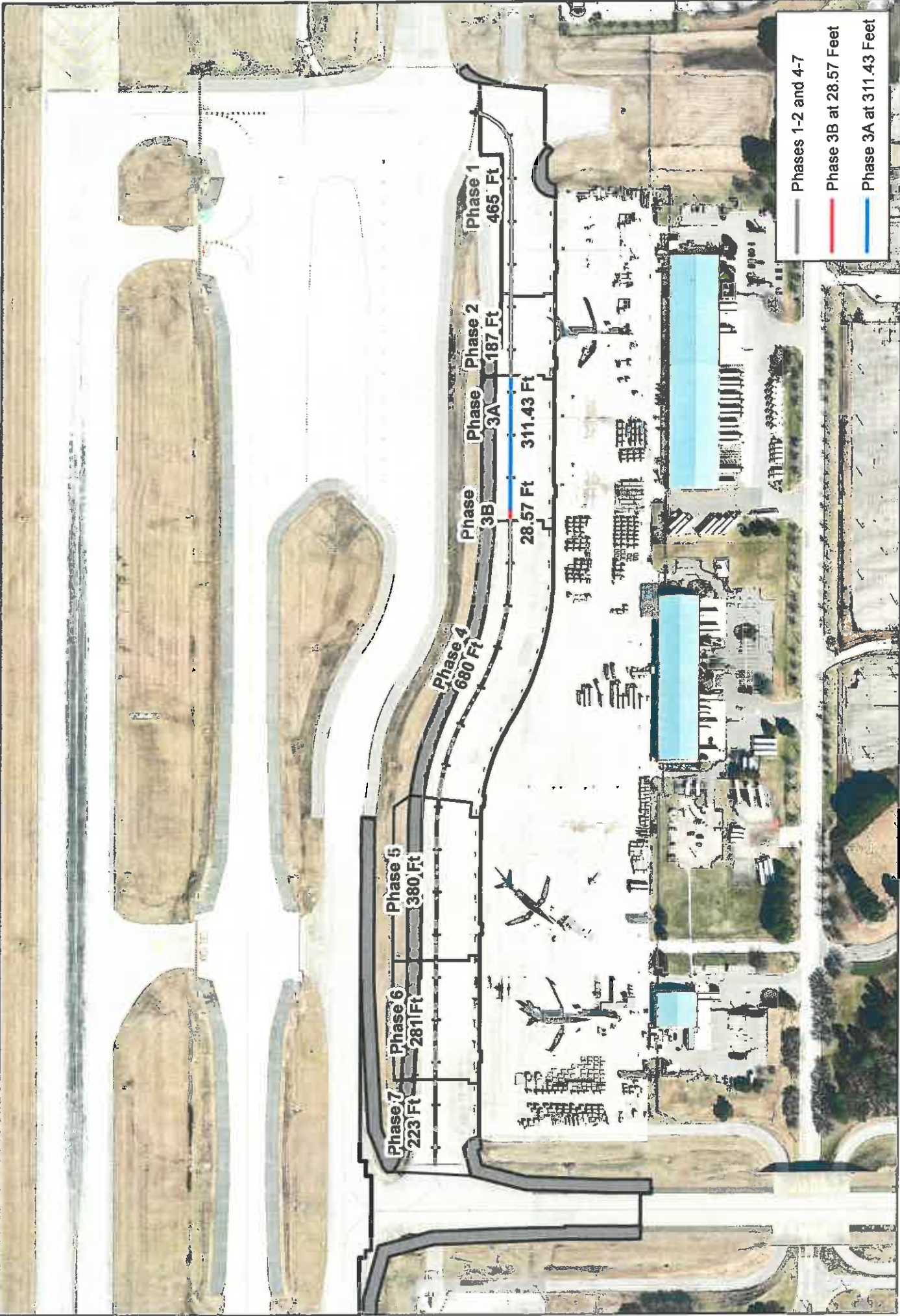
Construction Sub-phases	Construction Bid	Avg Cost/LF
Sub-phases 1-4	\$ 15,347,664.25	\$ 9,179.23
Sub-phases 5-7	\$ 14,376,532.50	\$ 9,514.58
TOTAL Phase 1	\$ 29,724,196.75	

Sub-phase	Linear Feet	Total Estimated Cost Allocation
1	465	\$ 4,268,339.64
2	187	\$ 1,716,515.08
3a	311.43	\$ 2,858,686.05
3b	28.57	\$ 262,250.46
4	680	\$ 6,241,873.02
Total Sub-phases 1-4	1672	\$ 15,347,664.25

Sub-phase	Linear Feet	Total Estimated Cost Allocation
5	380	\$ 3,615,540.93
6	281	\$ 2,673,597.37
7, TL	223	\$ 2,121,751.65
7, TWJ	627	\$ 5,965,642.54
Total Sub-phases 5-7	1511	\$ 14,376,532.50

TOTAL		\$ 29,724,196.75
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This request includes funding to assist in the construction cost element for phases 1 through 3a.



North Cargo Taxilane Phases



Drug-Free Workplace Airport Improvement Program Sponsor Certification

Sponsor: Raleigh-Durham Airport Authority

Airport: Raleigh-Durham International

Project Number: 3-37-0056-TBD

Description of Work: North Cargo Apron Reconstruction

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A statement has been or will be published prior to commencement of project notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition (2 CFR § 182.205).

Yes No N/A

2. An ongoing drug-free awareness program (2 CFR § 182.215) has been or will be established prior to commencement of project to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The sponsor's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

Yes No N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above prior to commencement of project (2 CFR § 182.210).

Yes No N/A

4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant (2 CFR § 182.205(c)), the employee will:

- a. Abide by the terms of the statement; and
- b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

Yes No N/A

5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction (2 CFR § 182.225). Employers of convicted employees must provide notice, including position title of the employee, to the FAA (2 CFR § 182.300).

Yes No N/A

6. One of the following actions (2 CFR § 182.225(b)) will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:

- a. Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and
- b. Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

Yes No N/A

7. A good faith effort will be made, on a continuous basis, to maintain a drug-free workplace through implementation of items 1 through 6 above (2 CFR § 182.200).

Yes No N/A

Site(s) of performance of work (2 CFR § 182.230):

Location 1

Name of Location: RDU

Address: Raleigh, NC

Location 2 (if applicable)

Name of Location:

Address:

Location 3 (if applicable)

Name of Location:

Address:

Attach documentation clarifying any above item marked with a "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 30th day of March , .

Name of Sponsor: Raleigh-Durham Airport Authority

Name of Sponsor's Authorized Official: Michael J. Landguth

Title of Sponsor's Authorized Official: President and CEO

Signature of Sponsor's Authorized Official: 

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Equipment and Construction Contracts Airport Improvement Sponsor Certification

Sponsor: Raleigh-Durham Airport Authority

Airport: Raleigh-Durham International

Project Number: 3-37-00586-TBD

Description of Work: North Cargo Taxilane Reconstruction

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General procurement standards for equipment and construction contracts within Federal grant programs are described in 2 CFR §§ 200.317-200.326. Labor and Civil Rights Standards applicable to the AIP are established by the Department of Labor (www.dol.gov) AIP Grant Assurance C.1—General Federal Requirements identifies all applicable Federal Laws, regulations, executive orders, policies, guidelines and requirements for assistance under the AIP. Sponsors may use state and local procedures provided the procurement conforms to these federal standards.

This certification applies to all equipment and construction projects. Equipment projects may or may not employ laborers and mechanics that qualify the project as a "covered contract" under requirements established by the Department of Labor requirements. Sponsor shall provide appropriate responses to the certification statements that reflect the character of the project regardless of whether the contract is for a construction project or an equipment project.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A written code or standard of conduct is or will be in effect prior to commencement of the project that governs the performance of the sponsor's officers, employees, or agents in soliciting, awarding and administering procurement contracts (2 CFR § 200.318).

Yes No N/A

2. For all contracts, qualified and competent personnel are or will be engaged to perform contract administration, engineering supervision, construction inspection, and testing (Grant Assurance C.17).
- Yes No N/A
3. Sponsors that are required to have a Disadvantage Business Enterprise (DBE) program on file with the FAA have included or will include clauses required by Title VI of the Civil Rights Act and 49 CFR Part 26 for Disadvantaged Business Enterprises in all contracts and subcontracts.
- Yes No N/A
4. Sponsors required to have a DBE program on file with the FAA have implemented or will implement monitoring and enforcement measures that:
- a. Ensure work committed to Disadvantaged Business Enterprises at contract award is actually performed by the named DBEs (49 CFR § 26.37(b));
 - b. Include written certification that the sponsor has reviewed contract records and has monitored work sites for performance by DBE firms (49 CFR § 26.37(b)); and
 - c. Provides for a running tally of payments made to DBE firms and a means for comparing actual attainments (i.e. payments) to original commitments (49 CFR § 26.37(c)).
- Yes No N/A
5. Sponsor procurement actions using the competitive sealed bid method (2 CFR § 200.320(c)), was or will be:
- a. Publicly advertised, allowing a sufficient response time to solicit an adequate number of interested contractors or vendors;
 - b. Prepared to include a complete, adequate and realistic specification that defines the items or services in sufficient detail to allow prospective bidders to respond;
 - c. Publicly opened at a time and place prescribed in the invitation for bids; and
 - d. Prepared in a manner that result in a firm fixed price contract award to the lowest responsive and responsible bidder.
- Yes No N/A
6. For projects the Sponsor proposes to use the competitive proposal procurement method (2 CFR § 200.320(d)), Sponsor has requested or will request FAA approval prior to proceeding with a competitive proposal procurement by submitting to the FAA the following:
- a. Written justification that supports use of competitive proposal method in lieu of the preferred sealed bid procurement method;
 - b. Plan for publicizing and soliciting an adequate number of qualified sources; and
 - c. Listing of evaluation factors along with relative importance of the factors.
- Yes No N/A
7. For construction and equipment installation projects, the bid solicitation includes or will include the current federal wage rate schedule(s) for the appropriate type of work classifications (2 CFR Part 200, Appendix II).
- Yes No N/A

8. Concurrence was or will be obtained from the Federal Aviation Administration (FAA) prior to contract award under any of the following circumstances (Order 5100.38D):

- a. Only one qualified person/firm submits a responsive bid;
- b. Award is to be made to other than the lowest responsible bidder; and
- c. Life cycle costing is a factor in selecting the lowest responsive bidder.

Yes No N/A

9. All construction and equipment installation contracts contain or will contain provisions for:

- a. Access to Records (§ 200.336)
- b. Buy American Preferences (Title 49 U.S.C. § 50101)
- c. Civil Rights - General Provisions and Title VI Assurances(41 CFR part 60)
- d. Federal Fair Labor Standards (29 U.S.C. § 201, et seq)
- e. Occupational Safety and Health Act requirements (20 CFR part 1920)
- f. Seismic Safety – building construction (49 CFR part 41)
- g. State Energy Conservation Requirements - as applicable(2 CFR part 200, Appendix II)
- h. U.S. Trade Restriction (49 CFR part 30)
- i. Veterans Preference (49 USC § 47112(c))

Yes No N/A

10. All construction and equipment installation contracts exceeding \$2,000 contain or will contain the provisions established by:

- a. Davis-Bacon and Related Acts (29 CFR part 5)
- b. Copeland "Anti-Kickback" Act (29 CFR parts 3 and 5)

Yes No N/A

11. All construction and equipment installation contracts exceeding \$3,000 contain or will contain a contract provision that discourages distracted driving (E.O. 13513).

Yes No N/A

12. All contracts exceeding \$10,000 contain or will contain the following provisions as applicable:

- a. Construction and equipment installation projects - Applicable clauses from 41 CFR Part 60 for compliance with Executive Orders 11246 and 11375 on Equal Employment Opportunity;
- b. Construction and equipment installation - Contract Clause prohibiting segregated facilities in accordance with 41 CFR part 60-1.8;
- c. Requirement to maximize use of products containing recovered materials in accordance with 2 CFR § 200.322 and 40 CFR part 247; and
- d. Provisions that address termination for cause and termination for convenience (2 CFR Part 200, Appendix II).

Yes No N/A

13. All contracts and subcontracts exceeding \$25,000: Measures are in place or will be in place (e.g. checking the System for Award Management) that ensure contracts and subcontracts are not awarded to individuals or firms suspended, debarred, or excluded from participating in federally assisted projects (2 CFR parts 180 and 1200).

Yes No N/A

14. Contracts exceeding the simplified acquisition threshold (currently \$250,000) include or will include provisions, as applicable, that address the following:

- a. Construction and equipment installation contracts - a bid guarantee of 5%, a performance bond of 100%, and a payment bond of 100% (2 CFR § 200.325);
- b. Construction and equipment installation contracts - requirements of the Contract Work Hours and Safety Standards Act (40 USC 3701-3708, Sections 103 and 107);
- c. Restrictions on Lobbying and Influencing (2 CFR part 200, Appendix II);
- d. Conditions specifying administrative, contractual and legal remedies for instances where contractor or vendor violate or breach the terms and conditions of the contract (2 CFR §200, Appendix II); and
- e. All Contracts - Applicable standards and requirements issued under Section 306 of the Clean Air Act (42 USC 7401-7671q), Section 508 of the Clean Water Act (33 USC 1251-1387, and Executive Order 11738.

Yes No N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 30th day of March, 2014

Name of Sponsor: Raleigh-Durham Airport Authority

Name of Sponsor's Authorized Official: Michael J. Landguth

Title of Sponsor's Authorized Official: President and CEO

Signature of Sponsor's Authorized Official: 

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Project Plans and Specifications

Airport Improvement Program Sponsor Certification

Sponsor: Raleigh-Durham Airport Authority

Airport: Raleigh-Durham International

Project Number: 3-37-0056-TBD

Description of Work: North Cargo Taxilane Reconstruction

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). Labor and civil rights standards applicable to AIP are established by the Department of Labor (www.dol.gov). AIP Grant Assurance C.1—General Federal Requirements identifies applicable federal laws, regulations, executive orders, policies, guidelines and requirements for assistance under AIP. A list of current advisory circulars with specific standards for procurement, design or construction of airports, and installation of equipment and facilities is referenced in standard airport sponsor Grant Assurance 34 contained in the grant agreement.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The plans and specifications were or will be prepared in accordance with applicable federal standards and requirements, so that no deviation or modification to standards set forth in the advisory circulars, or FAA-accepted state standard, is necessary other than those explicitly approved by the Federal Aviation Administration (FAA) (14 USC § 47105).

Yes No N/A

2. Specifications incorporate or will incorporate a clear and accurate description of the technical requirement for the material or product that does not contain limiting or proprietary features that unduly restrict competition (2 CFR §200.319).

Yes No N/A

3. The development that is included or will be included in the plans is depicted on the current airport layout plan as approved by the FAA (14 USC § 47107).
 Yes No N/A
4. Development and features that are ineligible or unallowable for AIP funding have been or will be omitted from the plans and specifications (FAA Order 5100.38, par. 3-43).
 Yes No N/A
5. The specification does not use or will not use "brand name" or equal to convey requirements unless sponsor requests and receives approval from the FAA to use brand name (FAA Order 5100.38, Table U-5).
 Yes No N/A
6. The specification does not impose or will not impose geographical preference in their procurement requirements (2 CFR §200.319(b) and FAA Order 5100.38, Table U-5).
 Yes No N/A
7. The use of prequalified lists of individuals, firms or products include or will include sufficient qualified sources that ensure open and free competition and that does not preclude potential entities from qualifying during the solicitation period (2 CFR §319(d)).
 Yes No N/A
8. Solicitations with bid alternates include or will include explicit information that establish a basis for award of contract that is free of arbitrary decisions by the sponsor (2 CFR § 200.319(a)(7)).
 Yes No N/A
9. Concurrence was or will be obtained from the FAA if Sponsor incorporates a value engineering clause into the contract (FAA Order 5100.38, par. 3-57).
 Yes No N/A
10. The plans and specifications incorporate or will incorporate applicable requirements and recommendations set forth in the federally approved environmental finding (49 USC §47106(c)).
 Yes No N/A
11. The design of all buildings comply or will comply with the seismic design requirements of 49 CFR § 41.120. (FAA Order 5100.38d, par. 3-92)
 Yes No N/A
12. The project specification include or will include process control and acceptance tests required for the project by as per the applicable standard:
- a. Construction and installation as contained in Advisory Circular (AC) 150/5370-10.
 Yes No N/A

b. Snow Removal Equipment as contained in AC 150/5220-20.

Yes No N/A

c. Aircraft Rescue and Fire Fighting (ARFF) vehicles as contained in AC 150/5220-10.

Yes No N/A

13. For construction activities within or near aircraft operational areas(AOA):

a. The Sponsor has or will prepare a construction safety and phasing plan (CSPP) conforming to Advisory Circular 150/5370-2.

b. Compliance with CSPP safety provisions has been or will be incorporated into the plans and specifications as a contractor requirement.

c. Sponsor will not initiate work until receiving FAA's concurrence with the CSPP (FAA Order 5100.38, Par. 5-29).

Yes No N/A

14. The project was or will be physically completed without federal participation in costs due to errors and omissions in the plans and specifications that were foreseeable at the time of project design (49 USC §47110(b)(1) and FAA Order 5100.38d, par. 3-100).

Yes No N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 30th day of March, 2020

Name of Sponsor: Raleigh-Durham Airport Authority

Name of Sponsor's Authorized Official: Michael J. Landguth

Title of Sponsor's Authorized Official: President and CEO

Signature of Sponsor's Authorized Official: _____



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Selection of Consultants

Airport Improvement Program Sponsor Certification

Sponsor: Raleigh-Durham Airport Authority

Airport: Raleigh-Durham International

Project Number: 3-37-0056-TBD

Description of Work: North Cargo Taxiway Reconstruction

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326. Sponsors may use other qualifications-based procedures provided they are equivalent to standards of Title 40 chapter 11 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. Sponsor acknowledges their responsibility for the settlement of all contractual and administrative issues arising out of their procurement actions (2 CFR § 200.318(k)).
 Yes No N/A

2. Sponsor procurement actions ensure or will ensure full and open competition that does not unduly limit competition (2 CFR § 200.319).
 Yes No N/A

3. Sponsor has excluded or will exclude any entity that develops or drafts specifications, requirements, or statements of work associated with the development of a request-for-qualifications (RFQ) from competing for the advertised services (2 CFR § 200.319).
 Yes No N/A

4. The advertisement describes or will describe specific project statements-of-work that provide clear detail of required services without unduly restricting competition (2 CFR § 200.319).
- Yes No N/A
5. Sponsor has publicized or will publicize a RFQ that:
- a. Solicits an adequate number of qualified sources (2 CFR § 200.320(d)); and
- b. Identifies all evaluation criteria and relative importance (2 CFR § 200.320(d)).
- Yes No N/A
6. Sponsor has based or will base selection on qualifications, experience, and disadvantaged business enterprise participation with price not being a selection factor (2 CFR § 200.320(d)).
- Yes No N/A
7. Sponsor has verified or will verify that agreements exceeding \$25,000 are not awarded to individuals or firms suspended, debarred or otherwise excluded from participating in federally assisted projects (2 CFR §180.300).
- Yes No N/A
8. A/E services covering multiple projects: Sponsor has agreed to or will agree to:
- a. Refrain from initiating work covered by this procurement beyond five years from the date of selection (AC 150/5100-14); and
- b. Retain the right to conduct new procurement actions for projects identified or not identified in the RFQ (AC 150/5100-14).
- Yes No N/A
9. Sponsor has negotiated or will negotiate a fair and reasonable fee with the firm they select as most qualified for the services identified in the RFQ (2 CFR § 200.323).
- Yes No N/A
10. The Sponsor's contract identifies or will identify costs associated with ineligible work separately from costs associated with eligible work (2 CFR § 200.302).
- Yes No N/A
11. Sponsor has prepared or will prepare a record of negotiations detailing the history of the procurement action, rationale for contract type and basis for contract fees (2 CFR §200.318(i)).
- Yes No N/A
12. Sponsor has incorporated or will incorporate mandatory contract provisions in the consultant contract for AIP-assisted work (49 U.S.C. Chapter 471 and 2 CFR part 200 Appendix II)
- Yes No N/A

13. For contracts that apply a time-and-material payment provision (also known as hourly rates, specific rates of compensation, and labor rates), the Sponsor has established or will establish:

- a. Justification that there is no other suitable contract method for the services (2 CFR §200.318(j));
- b. A ceiling price that the consultant exceeds at their risk (2 CFR §200.318(j)); and
- c. A high degree of oversight that assures consultant is performing work in an efficient manner with effective cost controls in place 2 CFR §200.318(j).

Yes No N/A

14. Sponsor is not using or will not use the prohibited cost-plus-percentage-of-cost (CPPC) contract method. (2 CFR § 200.323(d)).

Yes No N/A

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this 30th day of March

Name of Sponsor: Raleigh-Durham Airport Authority

Name of Sponsor's Authorized Official: Michael J. Landguth

Title of Sponsor's Authorized Official: President and CEO

Signature of Sponsor's Authorized Official: _____



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Certification and Disclosure Regarding Potential Conflicts of Interest Airport Improvement Program Sponsor Certification

Sponsor: Raleigh-Durham Airport Authority

Airport: Raleigh-Durham International

Project Number: 3-37-0056-TBD

Description of Work: North Cargo Taxiway Reconstruction

Application

Title 2 CFR § 200.112 and § 1201.112 address Federal Aviation Administration (FAA) requirements for conflict of interest. As a condition of eligibility under the Airport Improvement Program (AIP), sponsors must comply with FAA policy on conflict of interest. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

- a) The employee, officer or agent,
- b) Any member of his immediate family,
- c) His or her partner, or
- d) An organization which employs, or is about to employ, any of the above.

Selecting "Yes" represents sponsor or sub-recipient acknowledgement and confirmation of the certification statement. Selecting "No" represents sponsor or sub-recipient disclosure that it cannot fully comply with the certification statement. If "No" is selected, provide support information explaining the negative response as an attachment to this form. This includes whether the sponsor has established standards for financial interest that are not substantial or unsolicited gifts are of nominal value (2 CFR § 200.318(c)). The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance.

Certification Statements

1. The sponsor or sub-recipient maintains a written standards of conduct governing conflict of interest and the performance of their employees engaged in the award and administration of contracts (2 CFR § 200.318(c)). To the extent permitted by state or local law or regulations, such standards of conduct provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sponsor's and sub-recipient's officers, employees, or agents, or by contractors or their agents.

Yes No

2. The sponsor's or sub-recipient's officers, employees or agents have not and will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements (2 CFR § 200.318(c)).

Yes No

3. The sponsor or sub-recipient certifies that is has disclosed and will disclose to the FAA any known potential conflict of interest (2 CFR § 1200.112).

Yes No

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and have the explanation for any item marked "no" is correct and complete.

Executed on this 30th day of March

Name of Sponsor: Raleigh-Durham Airport Authority

Name of Sponsor's Authorized Official: Michael J. Landguth

Title of Sponsor's Authorized Official: President and CEO

Signature of Sponsor's Authorized Official: _____



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

FAA Title VI Pre-Grant Award Checklist

Submission information

Submission date (Pick a date):

Name of airport sponsor: Raleigh-Durham Airport Authority

Submitter's name: Steven Golden

Title: Grants Administrator

Phone number: 919-840-7763

Section 1: Questions Concerning Prior Approval of Title VI Program

By selecting "Yes" below, the sponsor certifies that the following documents were provided to, and approved by, the FAA Office of Civil Rights, and documentation of FAA's approval has been received by the sponsor. The FAA Office reviewing this grant application will confirm the FAA's approval of the documents in this Section prior to approving the grant application.

A sponsor that has *both* a Title VI* Plan and a Community Participation Plan, *both* of which are approved by the FAA and current, and has already received approval for the information outlined in this Checklist, does not need to complete the remaining questions in Sections 2 and 3 of this Checklist.

This information is required based on DOT Order 1000.12C, Ch. II, Secs. 3 and 4 [<https://www.transportation.gov/mission/us-department-transportation-title-vi-program>].

Criterion	Notes	Response	Comments
<p>1.1 The sponsor has a written Title VI Plan, approved by the FAA Office of Civil Rights, and subsequently adopted by the recipient, and documentation of the approval and adoption.</p>	<p>Sponsors must develop and adopt a Title VI Plan that outlines the recipient's measures to ensure compliance with Title VI. A current Title VI Plan on file with the FAA is sufficient if the Plan is no more than 3 years old.</p> <p>If the sponsor does not have an approved Title VI Plan, select "No" and complete Sections 2 and 3 of this Checklist.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>1.2 The sponsor has a written Community Participation Plan (CPP), or an equivalent public participation plan (PPP), and documented approval or concurrence of the plan from the FAA Office of Civil Rights.</p>	<p>Sponsors must satisfy CPP requirements as a condition of receiving an award of federal financial assistance. To the extent the sponsor has already prepared a PPP as part of planning or other requirements of FAA or DOT, that plan or plans may satisfy the CPP requirement so long as the plan has incorporated the Title VI requirements as provided in DOT Order 1000.12C, Ch. II, Sec. 4(a-j).</p> <p>If the sponsor does not have an approved CPP or PPP, select "No" and answer question 3.5 in Section 3 of this Checklist.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

If the answers to 1.1 and 1.2 above are both "Yes," do *not* complete Sections 2 and 3.

Section 2: Questions Concerning Applicant Data

By selecting "Yes" below, the sponsor certifies that the following documents have been collected in its records prior to submitting this grant application and will be timely made available to FAA staff, including from the FAA Offices of Airports, Chief Counsel, and Civil Rights, upon request. "Timely available" usually means within 1 week or less, depending on the scope and circumstances. The data should already be available in a format that can be forwarded, as-is. No further data collection or summarization efforts should be necessary to respond to the request. This information is required by DOT Order 1000.12C, Ch. II, Sec. 2; 49 CFR 21.9; and FAA Order 1400.11.

Criterion	Notes	Response	Comments
<p>2.1 The sponsor has, on file, demographic information for the surrounding community and communities otherwise affected by the sponsor's facilities and operations, including any airport noise and relocations.</p>	<p>At a minimum, data is required for race, color, national origin, and limited English proficiency (LEP) populations. The collected data must include the most current U.S. Census Bureau data, where available, such as American Community Survey data.</p> <p>EJScreen [www.epa.gov/ejscreen] is a useful resource for assessing project areas.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>2.2 The sponsor has, on file, demographic information for beneficiaries. For example, if the applicant is an airport operator, it has collected information for its airport customers.</p>	<p>In most cases, this type of information is available through voluntary disclosures by customers, lessees, community meeting attendees, and businesses seeking opportunities with the applicant.</p> <p>If not applicable or after reasonable efforts, no information was collected, respond, "Yes."</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

Criterion	Notes	Response	Comments
<p>2.3 The sponsor has, on file, demographic information for their staff.</p>	<p>In most cases, this type of information is available through voluntary disclosures. See also 49 CFR § 21.5(c). If not applicable or after reasonable efforts, no information was collected, respond, "Yes."</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>2.4 The sponsor has, on file, demographic information for individuals who are members of planning or advisory boards overseeing the applicant's programs, including its airport operations (if applicable).</p>	<p>Airport sponsors, the most common FAA grant applicants, commonly have appointed boards or are overseen directly by elected bodies, such as city councils. In addition, input for specific projects or sponsor priorities is often provided by standing appointed committees. If not already available, the information can be requested on a voluntary basis. If not applicable or after reasonable efforts, no information was collected, respond, "Yes."</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>RE: Airport Authority Board of Directors</p>

Section 3: Questions about the Sponsor's Programs

By choosing "Yes" below, the sponsor certifies that the related statements are true. This information is required by DOT Order 1000.12C, Ch. II, Secs. 2, 3, and 4.

Criterion	Notes	Response	Comments
<p>3.1 The sponsor's programs, including any airport operations, have been evaluated for potential impact based on race, color, national origin (including limited English proficiency (LEP)), or low-income status as part of an environmental review process consistent with FAA requirements.</p>	<p>Relevant requirements include Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.) ("Title VI"), DOT's Title VI regulations at 49 CFR part 21, Executive Order 12898, and DOT Order on Environmental Justice (Order 5610.2C). See <u>Title VI of the Civil Rights Act of 1964</u> [www.justice.gov/crt/fcs/TitleVI/]; <u>49 CFR part 21</u> [www.ecfr.gov] <u>DOT Order on Environmental Justice</u> [www.transportation.gov/transportation-policy/environmental-justice]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>3.2 The sponsor has evaluated Checklist Section 2 data to identify any potential disparities based on race, color, or national origin (including LEP), as part of an analysis to identify potential discriminatory effects, consistent with FAA requirements.</p>	<p>Relevant requirements include Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.) ("Title VI"), DOT's Title VI regulations at 49 CFR part 21, Executive Order 12898, and DOT Order on Environmental Justice (Order 5610.2C).</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

Criterion	Notes	Response	Comments
<p>3.3 The sponsor has performed a "Four-Factor" LEP analysis for the sponsor's programs, including its airport operations (if applicable). Plans and procedures and resources are in place to meet the identified LEP needs, consistent with the analysis.</p>	<p>A "Yes" response means yes to both parts of the question. The LEP analysis must be consistent with Executive Order 13166 and DOT Policy Guidance Concerning Recipients' Responsibilities to LEP Persons (70 FR 74087, December 14, 2005). See <u>DOT's LEP Guidance</u> [https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance].</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>3.4 If the sponsor is an airport sponsor, the FAA Unlawful Discrimination Poster is displayed at its public airport facilities. If the sponsor is <i>not</i> an airport sponsor, it uses other effective methods to inform its customers, clients, beneficiaries, etc., that it will not discriminate based on race, color, national origin (including LEP), age, sex (including sexual orientation and gender identity), or creed, and of how to file a complaint of discrimination under Title VI against the applicant.</p>	<p>For airport sponsors, areas where the posters should be displayed include, as applicable, airport terminals, fixed base operator facilities, and at businesses that are open to the public and operating on airport property, such as hotels. For larger facilities, posters should be placed so that people can reasonably be expected to see them, no matter where they are in the facility. The poster is available at <u>Airport Civil Rights Program – National Airport Policy and Compliance</u> [https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/national_airport_policy_compliance/]. If applicant is not an airport, the method used to inform the public must be ongoing and documented.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

Criterion	Notes	Response	Comments
<p>3.5 The sponsor's practices for obtaining proactive and meaningful public participation to ensure that (1) beneficiaries, as well as contractors and sub-recipients (if applicable), are adequately informed about how programs, projects, and other activities will potentially affect them, and (2) diverse views are heard and considered throughout all stages of consultation, planning, and decision-making processes.</p>	<p>To demonstrate compliance with Title VI, the sponsor must specifically be able to show how it affords all members of the community equal opportunity to provide input, regardless of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age, in accordance with Title VI, 49 U.S.C. § 47123, Executive Orders 12898 and 13166, DOT Order 5610.2C, and the DOT LEP guidance at 70 FR 74087.</p> <p>Please <i>skip</i> this question if the sponsor has an FAA-approved community participation plan.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>RE: Business Opportunity Workshops, Pre-Proposal Meetings, Public Announcements for Bidding Opportunities</p>
<p>3.6 Detailed information for all of the sponsor's Title VI lawsuits, investigations, and complaints filed or pending within the last 2 years been uploaded to the FAA Civil Rights Connect System or sent to ACR-4-TitleVI@faa.gov, with receipt acknowledged.</p>	<p>Sponsors must provide the FAA with both the initial notifications for the individual lawsuits, investigation, and complaints, and status updates. The updates are required until at least the time of grant closeout. The updates must include at least the outcome of the lawsuits, investigation, and complaint, and confirmation for resolution of identified deficiencies.</p> <p>See Appendix C to 49 CFR 21, Sub-part (b)(3) [available through www.ecfr.gov].</p> <p>"Title VI lawsuits, investigations, and complaints" include those alleging discrimination based on race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed or age.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

Criterion	Notes	Response	Comments
<p>3.7 Detailed information for all Title VI oversight activities (including audits, compliance reviews, and assessments for the sponsor) performed or pending within the last 2 years, has been sent to ACR-4-TitleVI@faa.gov, with receipt acknowledged. This requirement does not apply to oversight activities conducted by FAA.</p>	<p>Sponsors must provide the FAA with both the initial notifications for the individual audits, compliance reviews, and assessment, and status updates. The updates are required until at least the time of grant closeout. The updates must include at least the outcome of the audits, compliance reviews, and assessment, and confirmation for resolution of identified deficiencies.</p> <p>See Appendix C to 49 CFR 21, Sub-part (b)(3) [available through www.ecfr.gov].</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Not applicable</p>
<p>3.8 Detailed information for any pending grant applications with Federal agencies other than FAA identified in the grant application.</p>	<p>The information should be included in narrative fields of the pending application.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Not applicable</p>



RALEIGH-DURHAM AIRPORT AUTHORITY

**TITLE VI PROGRAM
AND LANGUAGE ASSISTANCE PLAN**

Adopted November 2021

POLICY STATEMENT

The Raleigh-Durham Airport Authority assures that no person shall, on the grounds of race, color, national origin, handicap, sex, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259) and subsequent nondiscrimination laws and related authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Raleigh-Durham Airport Authority further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. When communities may be impacted by programs or activities every effort will be made to inform and involve their leaders and the general public in providing their comments and feedback regarding the decision making process. Awards of contracting, concessionaires, and leases are made without regard for race, color, national origin, sex or creed.

The Raleigh-Durham Airport Authority requires Title VI assurances from each tenant, contractor, and concessionaire providing an activity, service or facility under lease or contract. The Raleigh-Durham Airport Authority also requires that such tenants, contractors, and concessionaires require Title VI assurances of their subcontractors.

It is also the policy of the Raleigh-Durham Airport Authority to comply with Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) and Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency).

The Authority's Director of Small Business Programs is the Authority's Title VI Coordinator. The Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 49 CFR 21 and 23 CFR 200.



President and CEO
Raleigh-Durham Airport Authority

November 1, 2021
Date

POLICY STATEMENT

The Raleigh-Durham Airport Authority assures that no person shall, on the grounds of race, color, national origin, handicap, sex, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259) and subsequent nondiscrimination laws and related authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Raleigh-Durham Airport Authority further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. When communities may be impacted by programs or activities every effort will be made to inform and involve their leaders and the general public in providing their comments and feedback regarding the decision making process. Awards of contracting, concessionaires, and leases are made without regard for race, color, national origin, sex or creed.

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It is also the policy of the Raleigh-Durham Airport Authority to comply with Executive Order 12898 (*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*)¹ and Executive Order 13166 (*Improving Access to Services for Persons with Limited English Proficiency*)².

The Authority's Director of Small Business Programs is the Authority's Title VI Coordinator. The Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 49 CFR 21 and 23 CFR 200.

OVERVIEW

The Raleigh-Durham Airport Authority (Authority) was established by the North Carolina General Assembly to govern, own and operate the Raleigh-Durham International Airport (Airport). The cities of Durham and Raleigh along with Durham and Wake counties each appoint two members to the Authority board.

¹ Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 77 Fed. Reg. 27534 (May 10, 2012).

² Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 70 Fed. Reg. 74087 (December 7, 2005).

ADMINISTRATION AND MONITORING

The Authority's Director of Small Business Programs serves as the Title VI Coordinator and is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 49 CFR 21.

The Title VI Coordinator will provide oversight of the Title VI Program. This includes ensuring training is conducted, language translations services are available and appropriate Title VI signage is posted. This also includes updating community statistics and corresponding with the Federal Aviation Administration (FAA) as necessary.

Title VI Coordinator Responsibilities

The Title VI Coordinator's responsibilities include:

- a. Receives and responds to written Title VI complaints received by RDUAA;
- b. Annually reviews the Authority's Title VI plan and disseminates Title VI information, education, etc.;
- c. Responds to requests by the FAA for data and records to determine Title VI compliance;
- d. Coordinates with the Authority's departments to ensure the availability of racial and ethnic data showing the extent to which minority groups are beneficiaries of or impacted by Authority programs. *49 CFR 21.9 (b) and (c)*;
- e. Maintains a list of the race, color, and national origin representation on non-elected planning and advisory bodies for the airport. Identifies any disparity between representation on these entities and the airport beneficiaries to the selecting official/committee when vacancies occur. *DOT Order 1000.12(4)(b)(2)(a)*;
- f. Forwards copies of Title VI complaints and other required information to Federal Aviation Administration (FAA) within 15 days of receipt;
- g. Coordinates the investigation of Title VI complaints;
- h. Provides the FAA with an explanation of resolution attempts regarding the complaint. *49 CFR Part 21 Appendix C (b) (3)*;
- i. Provides an annual training/review of RDUAA's Title VI Program and LEP Plan training to Authority staff, tenants and volunteers;
- j. Coordinates with Authority departments to ensure language translation services are available and appropriate Title VI signage is posted;
- k. Maintains permanent records, which include, but are not limited to, copies of Title VI complaints or lawsuits and related documentation; records of correspondence to and from complainants; Title VI investigations; and LEP Plan forms and materials;
- l. Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours. This regulation is available at:

<https://tinyurl.com/49cfr21>

Title VI Coordinator Contact Information

Title VI Coordinator
Raleigh-Durham Airport Authority
P.O. Box 80001
RDU Airport, NC 27623
E-mail: legal@rdu.com
Telephone: 919-840-7700

GRANT ASSURANCES

49 CFR 21.7 (a)(1); 49 CFR 21 Appendix C (b)

The Authority, upon application for its first grant to purchase land or an airport or noise implementation project involving construction, executed the complete standard DOT Title VI assurances.

In subsequent grants, the Authority includes the Civil Rights Grant Assurance as provided in the grant application package for all FAA-assisted contracts.

Clauses/ Covenants

- a. All contracts, leases, deeds, licenses, permits or other similar instruments, not only those resulting from the first grant, but in all instruments from that point on, contain the contractual requirements and clauses outlined in the DOT Title VI Assurance.
- b. The general Civil Rights Provision is inserted into all contractor, tenant, concessionaire and lessee agreements. Further, the Authority requires this provision to be included in all subcontracts, subleases and other agreements at any tier.

TRANSPORTATION

49 CFR 21 Appendix C (a)(1)(ix)

The Authority has not identified any disadvantaged areas of nearby communities. The Authority has reviewed access provided by multiple agencies to the airport from disadvantaged areas of nearby communities. These agencies include: GoTriangle, GoDurham, Capital Area Metropolitan Planning Organization (CAMPO), and the Town of Cary. As of March 2020, GoTriangle provides shuttle service to the Airport with connectivity throughout Raleigh. Additionally, GoDurham provides multiple routes from Durham to the Airport.

MINORITY BUSINESS NOTIFICATION

49 CFR 21 Appendix C (a)(1)(x)

Solicitations for concessions opportunities are solicited from area minority businesses through the following avenues: local newspapers, trade specific journals and websites and distribution lists for organizations serving or representing minority-owned or women-owned businesses. Solicitations are also emailed to certified minority and women-owned small businesses and to the Airport Minority Advisory Council.

Note: This regulation is in addition to the Disadvantaged Business Enterprise Program in 49 CFR Parts 26 and 23. All FAA funding recipients, regardless of funding levels, must meet the notification and award requirements of 49 CFR Part 21 Appendix C(a)(1)(x).

The concession award process is not based on race, color, national origin, sex or creed. Information on the award process and documentation for specific concessions awards decisions is maintained by the Authority's Concessions Department.

COMPLAINTS - OVERVIEW

49 CFR 21 Appendix C (b) (3); 28 CFR 42.406(d)

Written Title VI complaints received by Authority personnel are forwarded to the Title VI Coordinator. The Title VI Coordinator maintains a record of the complaint, conducts a preliminary review and attempt at resolution, and forwards a copy of the complaint and a description of the resolution efforts to the FAA within 15 days of receipt.

Scope

These procedures are for complaints of discrimination, other than employment discrimination by the Authority. They apply to discrimination by airport employees, contractors, concessionaires, lessees, or tenants of the Authority, or at Authority facilities based upon race, creed, color, national origin, or gender, including but not necessarily limited to complaints under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. They cover any program or activity administered by the Authority.

How to File a Title VI Complaint

Any person who believes that he/she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, or disability by Authority employees, contractors, concessionaires, lessees, or tenants of the

Authority, in any of the Authority's programs, services or activities may file a complaint with the Title VI Coordinator.

Filing a complaint with the Authority does not deny or limit the right of a complainant to file a formal complaint with an outside agency, such as the Department of Transportation or the FAA, or to seek private legal counsel regarding discrimination.

The complainant may submit a signed, written complaint, containing the information below up to 180 days from the date of the alleged discrimination.

- a. Your name, mailing address, and contact information (telephone number, email address, etc.).
- b. How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- c. Remedy you are requesting.
- d. Contact and case information if another government agency or court is involved.

The complaint may be mailed or emailed to:

Title VI Coordinator
Raleigh-Durham Airport Authority
P.O. Box 80001
RDU Airport, NC 27623
E-mail: legal@rdu.com

If a complaint is initially made by phone to the Authority, it must be supplemented with a written complaint within 90 days after the discriminatory event. If a complaint is filed initially by e-mail, the Title VI Coordinator will request a signed complaint. (Electronic signature is acceptable).

Accommodation will be provided upon request to individuals unable to file a written complaint due to a disability or limited ability to communicate in English.

Complainants may also file a complaint directly to the Federal Aviation Administration:

Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591.

Post Complaint Procedures

After receiving a written complaint the Title VI Coordinator will log the complaint and promptly send copies of the complaint to the Authority's General Counsel and President and CEO as well as the parties named in the complaint.

The Title VI Coordinator will immediately begin the investigation or designate an investigator. The Title VI Coordinator may meet with the complainant to clarify the issues and obtain additional information.

After completing the investigation, the Title VI Coordinator will prepare a written report. The complainant and respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will state the Authority's conclusion regarding whether unlawful discrimination occurred, and will describe the complainant's appeal rights.

Right to Appeal. If the complainant disagrees with the written response or conclusion, the complainant may appeal in writing to the Authority's President and CEO.

The appeal may be mailed or emailed to:

President & CEO
Raleigh-Durham Airport Authority
P.O. Box 80001
RDU Airport, NC 27623
E-mail: legal@rdu.com

The written appeal must be received within ten (10) business days after receipt of the written decision. The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal. The Authority's President and CEO will issue a final written decision in response to the appeal.

COMPLAINT PROCEDURES

All complaints alleging discrimination based on race, color or national origin in a program, service or activity provided by the Authority shall be investigated by the Title VI Coordinator. The Title VI Coordinator may meet with the complainant to clarify the issues, obtain additional information, and determine if informal resolution might be possible. **The Title VI Coordinator will issue a written decision.**

A copy of complaints alleging what amounts to a Title VI violation by airport employees, contractors, concessionaires, lessees, or tenants, relative to the Authority's aviation activities, will be forwarded to the FAA.

Cooperation with the FAA. The Title VI Coordinator will promptly investigate all discrimination complaints, including those referred to the Federal Aviation Administration (FAA) for investigation. In investigating a complaint that has been referred to the FAA, the Title VI Coordinator will endeavor to avoid interfering with the FAA investigation, will cooperate with the FAA when possible, and will share factual information with the FAA.

Prompt Investigation. The Title VI Coordinator will make every effort to complete

discrimination complaint investigations within 60 calendar days after the complaint is received, but recognizes that some investigations will take longer. At the completion of the investigation, the complainant will receive a letter of findings and determination of the investigation and any applicable resolution.

Prompt Resolution of Disputes. The Title VI Coordinator will quickly and equitably resolve disputes with complainants, or with contractors, tenants, or other persons, using various methods. These methods do not deny or limit the right of a complainant to file a formal complaint with an outside agency, or to seek private legal counsel regarding discrimination.

Avoiding Future Discrimination. In addition to taking action with respect to any specific instances of discrimination, the Authority will identify and implement measures to reduce the chances of similar discrimination in the future.

Intimidation and Retaliation Prohibited. Authority employees will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

Written Complaints Required. If a verbal complaint is received, the complainant should be given a copy of the Authority's Complaint Procedures and instructed to submit a written complaint. Upon request, the Authority will make available language assistance for persons with Limited English Proficiency (LEP) or other assistance as necessary for filing a complaint.

FAA Notification. Within 15 days of receipt, The Title VI Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter and the results thereof to the FAA, Regional Civil Rights Staff.

Consultation with Legal Counsel. In every case, the Title VI Coordinator will consult with the Authority's General Counsel regarding the investigation and the report.

Copies to FAA. Copies of each Title VI complaint, a summary of the investigation report, any response, and the Airport's transmittal letter to the complainant will be sent to the FAA.

TRAINING

Title VI training is incorporated into new employee orientation and concessions managers meetings. Training includes forwarding complaints to the Title VI Coordinator and how to access language assistance measures. Refresher information will be provided annually.

NOTICE

49 CFR Part 21 Appendix C (b)(2)(ii); 28 CFR Part 42.405(d)

The Authority shall conspicuously display signs furnished by the FAA in main public areas stating that discrimination based on race, color or national origin is prohibited.

The Authority ensures that required notices of public hearings and opportunities to comment on proposed Authority actions reach all segments of the impacted community. Such notices are announced in the *News and Observer* and the *Durham Herald Sun* and on the Authority's website. In instances where the impacted community may have limited English proficiency *and* the language primarily spoken is Spanish, the Authority may also advertise notices in the Raleigh-Durham-Chapel Hill edition of *La Noticia*. The Authority advertises public notices in appropriate languages when a significant proportion of the affected community has limited English proficiency to ensure that the community is effectively informed of and able to participate in public hearings. Such notices will include direction for obtaining an interpreter free of charge for the public hearings.

REPORTS AND FORMS

28 CFR 42.406(d); 49 CFR Part 21 Appendix C (b) (3)

The Authority completes the "Title VI Pre-Award Sponsor Checklist" as part of the grant application package for projects that meet one or more of the following criteria:

- Environmental assessment or impact statement;
- Major runway extension;
- Relocation of Authority, runway, person or structure; or
- Impact access or preservation of burial, ceremonial or other sacred or historic structure or lands of any indigenous or ethnic population.

ENVIRONMENTAL JUSTICE

Executive Order 12898

"Environmental justice" is the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, income, national origin, or educational level with respect to the development, implementation and enforcement of environmental laws, regulations and policies. For the purpose of this strategy, fair treatment means that no population, due to policy or economic disempowerment, is forced to bear a disproportionate burden of the negative human health and environmental impacts, including social and economic

effects, resulting from transportation decisions, programs and policies made, implemented and enforced at the Federal, State, local or tribal level."³

The Authority will assess the nature and extent of impacts to avoid disproportionately high and adverse effects from any transportation-related activity on minority, low-income and other disadvantaged populations. Further, the Authority will utilize the Title VI Pre-Award checklist provided by the FAA to ensure compliance with 49 CFR Part 21.

³ US Department of Transportation. Environmental Justice Strategy. Retrieved from [transportation.gov](https://www.transportation.gov), October 2019.

LIMITED ENGLISH PROFICIENCY

Executive Order 13166

Most individuals living in the United States read, write, speak and understand English. There are many individuals, however, for whom English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are limited English proficient, or "LEP." Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information.

Title VI and Executive Order 13166 establish the manner in which recipients of federal funds must address the needs of LEP persons. Title VI prohibits national origin discrimination and, for this reason, obligates recipients to provide LEP individuals with meaningful access to their services, programs, and activities.

The Authority is committed to provide Limited English Proficient (LEP) individuals with meaningful access to its programs, services, and activities.

A Language Assistance Plan ("LAP") has been prepared to address the Authority's responsibilities as a recipient of federal financial assistance as it relates to the needs of individuals with limited English proficiency language skills. This LAP will be reviewed at least annually to ensure that it is current and sufficient to meet the needs of the Authority's LEP individuals.

Four-Factor Analysis

The methodology used to determine the language access needs and scope of services to be provided found in part one of this LAP is based on DOT's Title VI enforcement regulations (49 CFR Part 21) and USDOT's LEP Policy Guidance⁴. This Guidance recommends that DOT recipients apply a four-factor analysis for determining the reasonable steps necessary to ensure LEP persons have "meaningful access" to federally-funded programs and activities. These factors include:

1. The number or proportion of LEP individuals in the service area who may encounter or be served by the Airport.
2. The frequency with which LEP individuals come in contact with Airport services.
3. The nature and importance of services provided by the Authority to the LEP population.
4. The resources available to the Authority and overall cost to provide LEP assistance.

⁴ Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 70 Fed. Reg. 74087 (December 7, 2005).

Factor #1: Number or proportion of LEP individuals in the service area

The number LEP individuals in the service area who may encounter or be served by the Authority can be described in terms of "catchment". Catchment is "...the geographic area from which your airport can reasonably expect to draw commercial air service passengers."⁵ Based on the Authority's research, its immediate catchment is the metropolitan statistical areas (MSA) of Raleigh and Durham – Chapel Hill. However, the Authority believes that its catchment is broader than these communities based on the Authority's proximity to other airports, airfares and destinations offered, flight frequency and the presence of low-cost carriers in the marketplace. The broader catchment area includes the MSAs for Fayetteville, Greenville, Jacksonville, New Bern, Wilmington and Greensboro-High Point. This broader group fully describes the persons "eligible to be served, or likely to be directly affected, by" the Authority, its services and operations, i.e. the Authority's service area. The service area and the associated population (for 2017) is described below in **Table 1**. It should be noted that the catchment population described includes a large geographic area without considering the likelihood of airline travel by this population.

Table 1: RDUAA Service Area

Area	Population
Raleigh	1,330,483
Durham-Chapel Hill	569,360
Greensboro-High Point	761,963
Fayetteville	126,975
Wilmington	187,911
Jacksonville	383,538
Greenville	286,434
New Bern	180,140
Total Population	3,826,804

Source: Woods and Poole via Campbell-Hill Aviation Group, LLC

After defining the service area, the Authority determined the number or proportion of LEP individuals in the service area. The Authority reviewed the 2017 American Community Survey 5-Year Estimates from the U.S. Census Bureau. Specifically, the "Language Spoken At Home by Ability to Speak English for the Population 5 Years and Over" was reviewed. Based on a review of the Census data as described in **Table 2**, approximately 5.0% of the population in the Authority's service area speak English less than "very well".

Table 2: 2017 Language Spoken at Home by Location (5-Year Estimates)

⁵ (Transportation Research Board Cooperative Research Programs, 2019)

Geographic Area Name	Population	Speak English "less than very well"	Percent speak English less than "very well"
Durham-Chapel Hill, NC Metro Area	517,580	37,159	7.2%
Fayetteville, NC Metro Area	354,987	13,185	3.7%
Greensboro-High Point, NC Metro Area	707,713	35,595	5.0%
Greenville, NC Metro Area	165,941	4,318	2.6%
Jacksonville, NC Metro Area	174,922	3,414	2.0%
New Bern, NC Metro Area	117,992	3,860	3.3%
Raleigh, NC Metro Area	1,192,576	68,118	5.7%
Wilmington, NC Metro Area	262,897	7,470	2.8%
Total Population	3,494,608	173,119	5.0%

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

After reviewing the data on the population that speaks English less than "very well", the Authority reviewed the languages spoken by that population. As described in **Table 2**, the languages in which the speakers have the highest percentage of LEP individuals in relation to the general population are: Spanish, Chinese and Vietnamese respectively. (The categories described as "Other Asian and Pacific Island" and "Other Indo-European" are comprised of multiple languages, which cannot be easily isolated. "Other Asian and Pacific" languages include Thai, Hmong, Thai, Burmese, etc.; "Other Indo-European" languages include Italian, Portuguese, Dutch, etc. The complete list of languages included in these categories is included in Appendix A).

Table 3: 2017 Languages Spoken at Home and Limited English Proficiency (5-Year Estimates)

Languages Spoken	Total Language Population	Language as Percentage of Total Population	Speak English less than "very well"	Percent speak English less than "very well"
Spanish	265,376	7.6%	111,553	3.2%
Other Asian and Pacific Island	31,557	0.9%	11,422	0.3%
Other Indo-European	41,264	1.2%	10,305	0.3%
Chinese (incl. Mandarin, Cantonese)	21,720	0.6%	9,431	0.3%
Vietnamese	12,038	0.3%	6,750	0.2%
Other and unspecified	17,310	0.5%	5,159	0.1%
Arabic	13,035	0.4%	4,832	0.1%
Korean	9,016	0.3%	4,054	0.1%
French, Haitian, or Cajun	14,588	0.4%	3,590	0.1%
Russian, Polish, or other Slavic	9,232	0.3%	2,810	0.1%
Tagalog (incl. Filipino)	7,372	0.2%	1,929	0.1%
German or other West Germanic	11,710	0.3%	1,284	0.0%
Speak only English	3,040,390	87.0%		
Total Population	3,494,608		173,119	5.0%

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

Based on this information, Spanish-speaking LEP individuals are the most likely to be encountered at the airport. The Authority is most likely to encounter Spanish-speaking LEP individuals followed by Asian and Pacific Island language LEP individuals (including Chinese, Vietnamese and Korean).

Factor #2: The frequency with which LEP individuals come in contact with airport services

The Authority has attempted the frequency at which employees or others encounter LEP individuals in providing Airport services. In 2019, there were no documented requests for interpreters or translated documents.

The airport operates twenty-four hours per day each day with commercial flights operating primarily between the hours of 4:00 am and 11:00 pm daily. The number of international flights departing and arriving at the airport may affect the number of LEP individuals that encounter airport services. In 2018, almost 180,000 people arrived on international flights. The Authority provides non-stop service to several international destinations including Toronto, Montreal, Paris and London. This means that individuals may interact with any number of airport services within the terminals, including guest services, ticketing and baggage services, etc. In addition, the Authority operates a variety of non-aeronautical services through which employees or business partners may encounter LEP individuals: curbside services, rental cars, shuttle services, concessions, etc. Therefore, at this time, it is

difficult to estimate the frequency with which LEP individuals encounter airport services. **The Authority will maintain records to detail the frequency with which LEP individuals encounter airport services.**

Factor #3: The nature and importance of the program, activity, or service provided by the recipient to people's lives

The airport serves a large portion of the state as indicated by the locations described in the services area or catchment. In addition to serving as a mode of transportation to various international destinations, the Authority also serves as an employment hub and economic center in the region. The airport and related business operations and industries provide thousands of jobs to the state⁶. A review of the Census data indicates that some portion of these individuals speak a language in addition to English and there may be LEP individuals employed by the Authority, its tenants or associated vendors. **In its role as a transportation mode and employment center, the Authority provides various services to employees, passengers and visitors and the information by the Authority conveyed can range from directional and instructional to critical, depending on the context.** The Authority is committed to providing various methods of communication to travelers, employees and other individuals that may encounter the airport or its services.

Factor #4: The resources available to the Authority and overall cost to provide LEP assistance

The Authority has reviewed the various resources available to provide LEP assistance. These resources include: involves utilizing translation services for appropriate documents, phone-line interpreter contracts, volunteer language interpreters, and analyzing available staff language resources. Currently, the Authority has identified the following staff member or volunteer language resources:

- 10 Spanish
- 8 French
- 3 German
- 2 Hindi/Gujarati
- 1 Turkish

Further, the Authority is reviewing the services and costs associated with interpreter service vendors. **The Authority is committed to providing the resources needed to assist its LEP passengers through a combination of interpreter services and staff resources.**

⁶ (Findley, Head, & Bert, 2019)

LANGUAGE ASSISTANCE PLAN

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Authority services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language. The Authority proposes a number of activities to provide language assistance.

Identification of LEP Persons

The Authority will provide staff will with language identification or "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises. Further, the Authority will record past interactions with LEP persons, including the language spoken by the individual. All departments will be informally surveyed annually on their experience and frequency concerning any contacts with LEP persons during the previous year. Finally, the Authority will post notices in commonly encountered languages notifying LEP individuals of language assistance.

Language Assistance Measures

The Authority will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English. The following resources will be available to accommodate LEP persons:

- a. Interpretation Services: A list of the Authority's multilingual Guest Services employees is located in the terminals at all Information Desks.
- b. Pre-recorded health and safety announcements broadcast in Spanish, French and English (e.g., smoke-free environment, unattended luggage);
- c. Translation apps which are available on smartphones or other devices to provide basic live translation of information and to respond to general inquiries.

Proposed Language Assistance Measures

- a. The Authority will engage a language assistance vendor to provide interpretation and translation services.
- b. The Authority will utilize "I Speak" cards which will be located at all Information Desks to identify and assist LEP individuals.
- c. The Authority will provide an interpreter for public hearings upon request.
- d. The Authority will review all written documentation, including its website and signage using the USDOT's "safe harbor" guidelines, to determine which documents require translation.

Translation Services

Translation is the replacement of a written text from one language (the source language) into an equivalent written text in another language (the target language). The Authority analyzed the requirements to provide translations services based on the US Department of Transportation (USDOT) policy guidance⁷. "Safe Harbor" guidance indicates that the Authority should provide "written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population eligible to be served or likely to be affected or encountered." **Based on the Authority's service area and LEP population, only the Spanish language would require translation services under "safe harbor" guidelines.**

The Authority recognizes that effective language assistance includes the translation of certain "vital documents" into the language of each frequently-encountered LEP group. Whether or not a document is "vital" depends on the importance of the program, information, encounter, or service involved and the consequence to the LEP person if the information is not accurate or timely.

Notice of Language Assistance Measures

The Authority will prepare a notice advising LEP persons of free language assistance. This notice will be available at the Information Desks in Spanish.

Staff Training

Per Federal guidelines Authority employees, specifically those having contact with the public, must be aware of their obligation to provide meaningful assistance to LEP individuals. The Authority has implemented training related to Title VI and the language assistance plan. The training initiative includes:

- a. An overview of Title VI and the Authority's responsibilities;
- b. Specific procedures to follow when encountering an LEP individual, including the Use of "I Speak" cards; and
- c. Documentation of language assistance requests and reporting to the Title VI coordinator.

Authority employees receive training during new employee orientation and annually thereafter. Concessions and airline station managers are informed of Title VI requirements and the LAP at least annually.

Authority employees are encouraged to participate in learning opportunities designed to highlight cultural diversity and meet language assistance needs using

⁷ (Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 2005)

the learning management system.

Monitoring

The Authority will evaluate the LAP and language assistance measures annually. The evaluation and plan updates will include:

- a. The number of LEP individuals experienced annually;
- b. A review of the current LEP population in the service area;
- c. A review of the types of languages where translation or interpretation services have been requested;
- d. A review of any complaints received;
- e. A review of the employee training methods;
- f. Determination as to whether the need for translation services has changed;
- g. Determine whether language assistance programs have been effective and sufficient to meet the need.

Dissemination

The Authority's Title VI plan and LAP will be posted on the Authority's website. A copy of the LAP will be available in the Authority administrative building at 1000 Trade Drive, Morrisville North Carolina. Requests for copies of the plan should be directed to:

Title VI Coordinator
Raleigh-Durham Airport Authority
P.O. Box 80001
RDU Airport, NC 27623
E-mail: legal@rdu.com
Telephone: 919-840-7700

Appendix A: Four and Forty-Two Group Classifications of Languages Spoken at Home with Examples (US Census Bureau, 2019)

Four Group Classification	Forty-Two Group Classification	Examples
Spanish	Spanish	Spanish, Ladino
Other Indo-European languages	French (incl. Cajun)	French, Cajun
	Haitian	Haitian
	Italian	Italian, Sicilian
	Portuguese	Portuguese, Kabuverdianu
	German	German, Luxembourgish
	Yiddish, Pennsylvania Dutch or other West Germanic languages	Dutch, Yiddish
	Greek	Greek
	Russian	Russian
	Polish	Polish
	Serbo-Croatian	Bosnian, Croatian, Serbian
	Ukrainian or other Slavic languages	Bulgarian, Czech, Ukrainian
	Armenian	Armenian
	Persian (incl. Farsi, Dari)	Iranian Persian (Farsi), Dari
	Gujarati	Gujarati
	Hindi	Hindi
	Urdu	Urdu
	Punjabi	Punjabi (Panjabi)
	Bengali	Bengali
	Nepali, Marathi, or other Indic languages	Nepali, Marathi, Konkani
	Other Indo-European languages	Albanian, Lithuanian, Pashto (Pushto), Romanian, Swedish
	Telugu	Telugu
	Tamil	Tamil
	Malayalam, Kannada, or other Dravidian languages	Malayalam, Kannada

Source: US Census Bureau

Four Group Classification	Forty-Two Group Classification	Examples
Asian and Pacific Island languages	<p>Chinese (incl. Mandarin, Cantonese)</p> <p>Japanese</p> <p>Korean</p> <p>Hmong</p> <p>Vietnamese</p> <p>Khmer</p> <p>Thai, Lao, or other Tai-Kadai languages</p> <p>Other languages of Asia</p> <p>Tagalog (incl. Filipino)</p> <p>Ilocano, Samoan, Hawaiian, or other Austronesian languages</p>	<p>Mandarin Chinese, Min Nan Chinese (incl. Taiwanese), Yue Chinese (Cantonese)</p> <p>Japanese</p> <p>Korean</p> <p>Hmong</p> <p>Vietnamese</p> <p>Central Khmer (Cambodian)</p> <p>Thai, Lao</p> <p>Burmese, Karen, Turkish, Uzbek</p> <p>Tagalog, Filipino</p> <p>Cebuano (Bisayan), Hawaiian, Iloko (Ilocano), Indonesian, Samoan</p>
All other languages	<p>Navajo</p> <p>Other Native languages of North America</p> <p>Arabic</p> <p>Hebrew</p> <p>Amharic, Somali, or other Afro-Asiatic languages</p> <p>Yoruba, Twi, Igbo, or other languages of Western Africa</p> <p>Swahili or other languages of Central, Eastern, and Southern Africa</p> <p>Other and unspecified languages</p>	<p>Navajo</p> <p>Apache languages, Cherokee, Lakota, Tohono O'odham, Yupik languages</p> <p>Arabic languages</p> <p>Hebrew</p> <p>Amharic, Chaldean Neo-Aramaic, Somali, Tigrinya</p> <p>Akan (incl. Twi), Igbo (Ibo), Wolof, Yoruba</p> <p>Ganda, Kinyarwanda, Lingala, Swahili</p> <p>Hungarian, Jamaican Creole English, Unspecified</p>

KEY AUTHORITIES AND REFERENCES

Title VI of the Civil Rights Act of 1964. 42 U.S.C. § 2000d et seq.

Improving Access to Services for Persons with Limited English Proficiency, Exec. Order 13166, 3 CFR 13166 (2000).

Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, Exec. Order 12898, 59 FR 7629 (1994).

Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency; Policy Guidance, 65 Fed. Reg. 50123 (August 11, 2000).

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455 (June 18, 2002).

U.S. Department of Justice. LEP.gov Homepage. Retrieved from <https://www.lep.gov/>

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Nondiscrimination in Federally-Assisted Programs at the Federal Aviation Administration, FAA Order 1400.11 (August 27, 2013).

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U.S. Census Bureau. (2019, October 21). About Language Use in the U.S. Population. Retrieved from U.S. Census Bureau: <https://www.census.gov/topics/population/language-use/about.html>

Findley, D., Head, W., & Bert, S. (2019). The State of Aviation. North Carolina Department of Transportation.