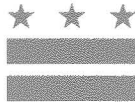


GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DISTRICT DEPARTMENT OF TRANSPORTATION



OFFICE OF THE DIRECTOR

**MEMORANDUM**

**DATE:** January 27, 2009

**TO:** District Department of Transportation Contractors and Subcontractors

**FROM:** Frank Seales, Jr.  
Interim Director, DDOT

**SUBJECT:** Title VI Notice to Contractors

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The District Department of Transportation (DDOT) gives notice to all Disadvantaged Business Enterprise (DBE) and Non-DBE prime contractors, subcontractors, A/E firms, and consultants in general that it is the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Act of 1987, and related statutes and regulations in all programs, activities and contracts. It is our policy that no person in the United States shall, on the grounds of race, color, gender or national origin be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any of our programs or activities for which DDOT received federal financial assistance.

Pursuant to Title VI requirements, any entity that enters into a contract with DDOT, including, but not limited to DBE and Non-DBE prime contractors, A/E firms, and consultants may not discriminate on the grounds of race, color, gender or national origin in their selection and retention of first-tier subcontractors, and first-tier subcontractors may not discriminate in their selection and retention of second-tier subcontractors, including those who supply materials and lease equipment.

Contractors may not discriminate in their employment practices in connection with highway construction projects or other projects assisted by the Federal Highway Administration (FHWA).

In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's

obligations under the contract and the Title VI regulations relative to nondiscrimination on the grounds of race, color, gender, or national origin.

The contractor shall provide all information and reports required by the Title VI regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts and other sources of information, and its facilities as may be determined by DDOT or FHWA to be pertinent to ascertain compliance with such regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to DDOT, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information.

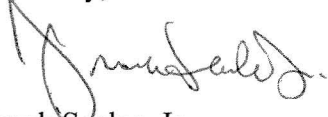
In the event of the contractor's non-compliance with nondiscrimination provisions of this contract, DDOT shall impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:

- withholding of payments to the contractor under the contract until the contractor complies, and/or
- cancellation, termination, or suspension of the contract, in whole or in part.

The contractor shall include Title VI contract provisions in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Title VI regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as DDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. However, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of this direction, the contractor may request DDOT to enter into such litigation to protect the interests of DDOT. Additionally, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Any person or subcontractor who believes that they have been subjected to an unlawful discriminatory practice under Title VI has a right to file a formal complaint within one hundred-eighty (180) days following the alleged discriminatory action. Any such complaint must be filed in writing or in person with DDOT's Office of Integrity and Workforce Relation, Civil Rights Division, 2000 14<sup>th</sup> St. NW, 5<sup>th</sup> Floor, Washington, DC 20009, phone: (202) 671-2290.

Sincerely,



Frank Seales, Jr.  
Interim Director  
District Department of Transportation