

MEETING OTHER FEDERAL REQUIREMENTS

2/25/2021

CIVIL RIGHTS OFFICE (CRO)

- CRO is responsible to ensure all of ADOT's FHWA funded programs and services fully comply with provisions of Title VI.
- What is an On-Site Compliance Review? An in person review of the Title VI process and procedures for the agency. Are the current process working? Are they being implemented? We will identify potential gaps in processes and procedures.
- CRO will also conduct a Desk Review. Some items they review Title VI information dissemination, public meeting notices and accessibility of language assistance services.

BUSINESS ENGAGEMENT AND COMPLIANCE OFFICE (BECO) – Disadvantage Business Enterprise (DBE)

- DBE Goal Assurance Form 3102C (RC Only) – Each bidder must identify if it meets or does not meet the DBE goal. If the goal is not met, a Good Faith Effort (GFE) should be documented. These documents should be submitted with the bid and you cannot change the position after submittal.
- Termination/Substitution/Reduction of Work (TSR) – Prime must contact the PM/RE/BECO within 24 hours. Must state in writing notice and intent to terminate/substitute/reduce work.
- Commercially Useful Function (CUF) – Prime contractor ensures DBEs on the project are performing contracted work. Contractor receives credit only when the DBE meets the CUF.
- Certification of Final DBE Payments (COP) – Contractor submits Form 3110C to agency for all DBEs no later than 30 days after the DBE completes work. Contractor is not released from obligations of the contract.

PUBLIC OUTREACH RESPONSIBILITIES

- Agencies must implement public involvement efforts in accordance with federal regulations/guidelines.
- Public hearing requirements include an in person meeting. There are some exceptions during the pandemic. Meetings should be held at convenient times/places. There should be a reasonable notice given to the general public.
- Public outreach should follow Title VI requirements and considerations. Should also follow requirements for Environmental Justice (EJ), Limited English Proficiency (LEP) and the Americans with Disabilities Act (ADA)

PUBLIC OUTREACH RESPONSIBILITIES

- The compliance review process consists of 4 phases. Planning, discovery, reporting and follow up.
- Planning – risk assessment, creating the review, project selection, engagement letter and entrance conference.
- Discovery – project research, document request, reviewing documents, construction site visit.
- Reporting – complete workpapers, draft report, exit conference, final report.
- Follow up – monitoring and tracking.
- Corrective action contains 3 phases. Unsatisfactory performance, probation and suspension.