

Partnering Agreement FFY 2022
FHWA/MoDOT Focus Area Civil Rights

1. Roles and Responsibilities of MoDOT:

MoDOT's Role – Ensure Civil Rights performs in accordance with state and federal laws and regulations while implementing MoDOT's Tracker priorities and goals.

External Civil Rights (ECR) responsibilities link directly to MoDOT's Tracker. Civil Rights supports the following Value Statement included in the Tracker, "MoDOT will value diversity because we believe in the power of our differences." It is important for MoDOT to demonstrate responsible use of taxpayers' money, listen and respond to the public, and additionally, be the first and best source of information about MoDOT's External Civil Rights program, and improve relationships with the highway construction industry.

When requesting information or guidance from the FHWA Division office, all efforts will be made to describe the reason for the request and any associated context and implications of the response. Additionally, when possible, our requests for guidance on an issue will include our recommendation and justification.

The following responsibilities are general priorities and goals performed by ECR that assist in supporting MoDOT's Strategic/Business Plans and FHWA's Performance Plan in conjunction with state/federal laws and regulations:

	<u>Activity</u>	<u>Frequency</u>	<u>Individual Responsible</u>
1.	Title VI Plan accomplishments and next year's goals	Annually by October 1	Zainab Jasim
2.	Title VI Plan update	Annually by October 1	Zainab Jasim
3.	EEO Contract Compliance Review Reports	Annually by October 31st	Missy Stuedle (Director) April Brown (Assist) Katherine Adkins (Assist) Laura Bouslaugh (Assist) Kami Sanders (Assist) Prenness Josey (Assist) Zainab Jasim (Assist) Enjoli Dixon (Assist)
4.	MBE/MWBE/WWBE Awards & Commitment (Form DOT 4630)	Semi-Annually, June 1 and December 1	Kristi Hixson
5.	Disadvantaged Business Enterprise (DBE) Program revisions	As needed or as requested	Missy Stuedle (Lead) Kristi Hixson (Assist)

6.	DBE Certification Applications	90 Day Review	Prenness Josey, Enjoli Dixon, April Brown, Zainab Jasim, Laura Bouslaugh, Kristi Hixson, Katherine Adkins, Kami Sanders
7.	State's DBE Program Goal (Start 45 Day Public Notice)	Every 3 Years by June 1	Missy Stuedle (Lead) Kristi Hixson (Assist)
8.	State's DBE program goals (Final Submittal)	Every 3 by August 1	Missy Stuedle (Lead) Kristi Hixson (Assist)
9.	Supportive services funds requests	Annually by May 1	Prenness Josey (DBE) & Laura Bouslaugh (OJT)
10.	Annual Contractor Employment Report (Construction Summary of Employment Data (Form PR-1392))	Annually by September 30	Laura Bouslaugh

	<u>Activity</u>	<u>Frequency</u>	<u>Individual Responsible</u>
11.	Report on supportive services On-the-Job Training (OJT) & (DBE)	Quarterly by April 1, July 1, October 1, and January 1	Prenness Josey (DBE) & Laura Bouslaugh (OJT)
12.	OJT goals & accomplishments	Annually by January 15	Laura Bouslaugh
13.	Americans with Disabilities Act complaints	As requested by FHWA (90 Day Review)	Zainab Jasim
14.	ECR Staff Activity Reminders	10 Days and 5 Days Before Activity Completions	Tracy Evers
15.	Quarterly Dashboard (Title VI, EOCC, OJT, OJT SS, DBE, DBE SS)	Quarterly by Sep 15, Dec 15, March 15, June 15	Missy Stuedle
16.	Annual Dashboard (ADA)	June 15	Missy Stuedle

NOTE: Additionally, all individuals responsible for activities assigned will inform and keep the External Civil Rights Director abreast of the status of each assignment. If circumstances arise where target dates are potentially challenged or delayed, staff and/or the External Civil Rights will inform the FHWA Civil Rights Manager to work through the delays unto the completion of the assignment.

II. Roles and Responsibilities of FHWA:

FHWA's Role – Ensure Civil Rights performs in accordance with federal laws and regulations while implementing FHWA's Performance Plan and required stewardship and oversight.

The following responsibilities are detailed priorities and goals with oversight by FHWA that assist in supporting MoDOT's Strategic and Business Plans:

	<u>Activity</u>	<u>Frequency</u>
1.	Title VI Plan Update and Accomplishment Reports and next year's goals	Annually by October 15
2.	Contract Compliance Review Reports	As submitted by State upon completion
3.	DBE Uniform Awards & Commitment Report (form DOT 4630)	Semi-Annually, June 1 and December 1
4.	Disadvantaged Business Enterprise (DBE) Program revisions	As needed or as requested by FHWA
5.	State's DBE Program Goals	Tri-Annually by August 1
6.	Supportive Services funds requests (OJT/DBE)	Annually per FHWA-HQ
7.	Annual Contractor Employment Report (Construction Summary of Employment Data (form PR-1392))	Annually by October 5
8.	Report on Supportive Services On-the-Job Training (OJT) & (DBE)	Quarterly by January 15, April 15, July 15, and October 15
9.	OJT goals & accomplishments	Annually by January 30
10.	Americans with Disabilities Act complaints	As requested by HQ, within 90 days of receipt
11.	DBE Program Submittal	Annually by October 1

III. Ground Rules:

We agree to concentrate efforts in improving our work by following these ground rules:

- We will respect each other by accepting each other's ideas, recommendations, opinions, and feedback.
- We will communicate by phone, face-to-face, virtual platforms, electronically and through quarterly meetings.
- We will make decisions by consultation, open dialogue, and exchanging of proposals and suggestions.
- We will strategically keep abreast of upcoming deadlines with friendly reminders.
- We will address all substantive comments made by the other party, in writing, by the date requested or offer some explanation within 2 business days of the requested deadline as to why the deadline cannot be met.
- We will present a unified voice to internal and external customers. We will discuss matters together before responding to customers.
- We will revisit this partnering agreement at yearly intervals to determine if changes need to be made.
- We will travel and/or engage in mutually beneficial assignments together, where at all possible.

IV. Conflict Resolution:

Historically, FHWA and MoDOT have benefited from an excellent working relationship. This Agreement builds upon this history by establishing a framework to further promote the existing partnership. This Agreement establishes the following procedures to resolve conflict, streamline processes, and build a team spirit to achieve maximum success.

1. We will confer on a regular basis. If there is a major programmatic issue, the party bringing the concern to the table shall communicate the concern by e-mail or letter.
2. We to the maximum extent possible, that issues involving the two agencies shall be resolved at the staff level.
3. When issues arise that cannot be resolved within one week at the staff level, we agree resolution of the issue will be sought at the staff manager level.
4. When resolution of the issue cannot be realized at this management level, we agree the issue will be elevated to the Assistant Chief Engineer and FHWA Program Management Team Leader level. Issues unresolved within one week at the second level will be elevated to the Chief Engineer and FHWA Assistant Division Administrator.

If issues are still unresolved, they will be elevated to MoDOT Director and FHWA Division Administrator.

V. Performance Measures:

The performance of the External Civil Rights Program will be measured by:

- The timeliness of meeting 90% of the activities listed above in Role and Responsibilities.
- 90% of all certification and recertification will occur within 90 days.
- There will be an assertive outreach in the MBE community to increase the % of MBE firms within the certification program. Examples of this outreach include attending events and meetings sponsored by minority advocacy groups.
- External Civil Rights will hold an annual symposium or other event to educate the prime contractors and DBE's.

VI. Performance Evaluation:

We will measure our partnering progress and success by the following performance indicators:

- Resolve conflicts on our level with upper management not being involved more than twice a year.
- Annual review of all mutually agreed upon initiatives.
- Ninety (90) percent of all compulsory submissions should achieve the mandated time frames.

VII. Communicating with Management:

We will use the “no surprise philosophy” by keeping senior management informed of our activities and how our partnering is working quarterly through verbal communication. If issues

have not been resolved and require action of senior management, a written communication regarding the issue will be shared with senior management and members of this agreement. The communication will include:

1. Issues that require resolution.
2. Successes, challenges and new projects.
3. Our efforts to enhance communications and better working relationships with the members of this agreement and other focus area teams.

We will revisit and revise this agreement as deemed necessary. At a minimum the agreement will be revisited annually.

DATE: _____

MoDOT Representative & Title

FHWA Representative & Title