



Sub-Recipient Title VI Compliance Assessment Tool

23 Code of Federal Regulations (CFR) Part 200 requires that the Florida Department of Transportation (FDOT) conduct periodic reviews of cities, counties, planning agencies and other recipients of federal-aid highway funds to ensure they are complying with Title VI of the Civil Rights Act of 1964. Title VI states that "no person in the United States shall be excluded from participation, denied the benefits of, or be subjected to discrimination in any Federally-funded program, policy or activity on the basis of race, color or national origin."

FDOT has developed this assessment as a means of determining sub-recipient compliance; helping sub-recipients understand their Title VI responsibilities; and assisting FDOT in planning future training and technical assistance.

This assessment is part of FDOT's Quality Assurance Review (QAR) process and has been designed to take only a few minutes of your time. Please fax or mail the completed questionnaire with attachments, to Charlotte Thomas, Statewide Title VI Coordinator, by no later than _____. FDOT, 605 Suwannee Street, MS 65, Tallahassee, FL 32399-0450, FAX 850 414-4879.

Questions or concerns may be e-mailed to charlotte.thomas@dot.state.fl.us or you may reach Ms. Thomas by phone at 850 414-4753.

Baseline Questionnaire

1. Who is the Title VI contact person for your agency? Does this person accept complaints from the public? If not, who does? Please include title, email and telephone number for each person listed.

2. In the past three years, has your agency been named in a discrimination complaint or lawsuit? If so, when and what was the nature of the complaint or lawsuit and the outcome?

3. Does your agency have a written discrimination complaint process? If so, please provide a copy as an attachment.

4. Has your agency made the public aware of the right to file a complaint? If so, by what mechanism? Provide as attachment.

5. Does your agency provide free translation services for persons with Limited English Proficiency (LEP)? Explain.

6. In the past twelve months, what has your agency done to receive and consider input from all citizen groups, especially minority, low income, disabled and transit-dependent? Provide attachment, if applicable

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Baseline Questionnaire Continued...

7. Does your agency have a method to collect racial and ethnic data on citizens impacted by your projects? If so, please describe.

8. Has your agency provided written Title VI Assurances to FDOT? Please attach a copy.

9. Does your agency include the required DBE assurance language at 49 CFR 26.13 (a) and (b) verbatim in all financial agreements, contracts and subcontracts?

(Please see DBE assurance language below)

§ 26.13 What assurances must recipients and contractors make?

(a) Each financial assistance agreement you sign with a DOT operating administration (or a primary recipient) must include the following assurance:

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

(b) Each contract you sign with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

Baseline Questionnaire Continued...

10. Does your agency physically include the Civil Rights Special Provisions (FHWA-1273) in all contracts and ensure they are included in all sub-contracts, including the third-tier?

11. Does your agency monitor DBEs on construction projects to ensure they are performing a commercially useful function (CUF)? If so, where is this documented? If a DBE is not performing a CUF, what actions or steps have you taken? Who do you notify?

12. Name of your Agency:

13. Number of full-time and part-time employees:

14. Do you have any questions regarding this assessment or Title VI? Please include them here along with your email address or phone number and an FDOT representative will respond.

15. Would your agency like Title VI training or other Civil Rights technical assistance from FDOT? If yes, please explain. Does your agency have teleconferencing ability?

16. Please provide the Name, Title and contact information of the person who completed this baseline assessment.

17. Please list each attachment provided with the assessment.

Thank You!