

# DBE Transporter Newsletter



July 1, 2015 : Issue 2, Quarter 2

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## Race-Neutral DBE Program for FHWA-funded Contracts

After much analysis, planning and discussion with stakeholders, on April 2, 2015 the ADOT&PF Civil Rights Office (CRO) submitted its FFY 2015 - 2017 DBE Goal Methodology to the Federal Highway Administration (FHWA) for review. The overall DBE goal calls for 8.46% DBE participation, to be met through entirely race-neutral means. In the process of establishing the overall goal, we found that some stakeholders were not familiar with the term "race-neutral", as well as how the transition from a "race-conscious" DBE program to a "race-neutral" program could affect them. The term "race-neutral" has a broad definition, but as it relates to the current "race-conscious" DBE program, it means the removal of DBE contract goals in excess of 0.00% on FHWA-assisted construction contracts and PSAs. Additionally, it means that DBE participation on FHWA-assisted contracts will be facilitated through other "race-neutral" means such as the Planholders Self-Registration List, business development assistance under the Office of Support Services, and continuing financial assistance where available. With this in mind and prior to submitting the overall goal, the CRO elected to host multiple public meetings to educate DBEs and non-DBEs about different aspects of the proposed changes to the DBE program, as well as to answer questions regarding the goal methodology. The CRO received feedback from stakeholders representing DBEs, non-DBEs, USDOT funds recipients, and other interested parties. These comments are summarized in the FFY 2015 - 2017

New Employees  
and Promotions

#### IMPORTANT DATES

ADA Public Forum  
Fairbanks, July  
7th  
Raven Landing  
6:30 PM

ADA Public Forum  
Juneau, July 9  
Centennial Hall,  
Hickel Room 6 PM

Alaska  
Construction  
Career Days  
Maritime Festival  
Ketchikan October  
2015

#### WEBSITE QUICK LINKS

[DOT Home Page](#)  
[CRO Home Page](#)  
[CRO Staff](#)  
[DBE](#)  
[OJT](#)  
[Title VI](#)  
[CRO Forms](#)  
[State of Alaska](#)

#### CRO PARTNERS

[AGC](#)  
[Alaska Railroad](#)  
[Alyeska Pipeline](#)

Goal Methodology which is available for review at  
<http://www.dot.alaska.gov/cvlrts/index.shtml>.

On April 17, 2015 in a letter from FHWA, ADOT&PF received a notice of legal sufficiency regarding the goal methodology. This notice of legal sufficiency is valid until April 16, 2016, at which time the FHWA will determine whether ADOT&PF is successfully implementing the DBE program through entirely race-neutral means or if adjustments are needed to progress toward the overall DBE goal. The CRO expects to begin implementing its race-neutral program for FHWA-assisted contracts in July of 2015, and will continue to monitor DBE utilization during this time to determine the efficacy of the race-neutral program.

#### **2015 Alaska Construction Career Day: April 22, 2015 Palmer, AK**

On April 22, 2015, the Alaska Department of Transportation & Public Facilities (ADOT&PF) Civil Rights Office (CRO) hosted its annual Alaska Construction Career Day (ACCD) event at the Palmer Fairgrounds. ACCD is an all-day event that gives high school aged students an opportunity to explore multiple construction trades. ACCD was comprised of three stations. There was an outdoor Hands-on station, an indoor Hands-on station, a Heavy Equipment station and an Expo station. High school students from all over Alaska attended ACCD. The majority of students who attended were from the Mat-Su Borough Schools (MSBSD) and Anchorage Schools (ASD); additional students from rural communities such as Unalaska and Valdez attended as well. Additionally, the CRO worked closely with the MSBSD to include 120 students from Palmer Middle School. This is the first time that the ACCD event has hosted middle school students both MSBSD and the CRO believed it was successful. The CRO will coordinate with MSBSD and ASD to continue the participation of middle school students for future events. Between both the middle schools and high schools, there were approximately 650 students who participated in the Palmer ACCD. This has been the highest participation for this event since it started 8 years ago.

The CRO has strengthened its partnership with the Palmer Alaska Job Corps (AJC) by including a security presence to ACCD. In addition to AJCs on-going commitment with previous ACCD events, they volunteered 15 security specialists to maintain the safety of the event. This is the first year the security program with AJC has been in place. The CRO and AJC security program will continue to strengthen its partnership for future ACCD events.

[MBDA](#)  
[PTAC](#)

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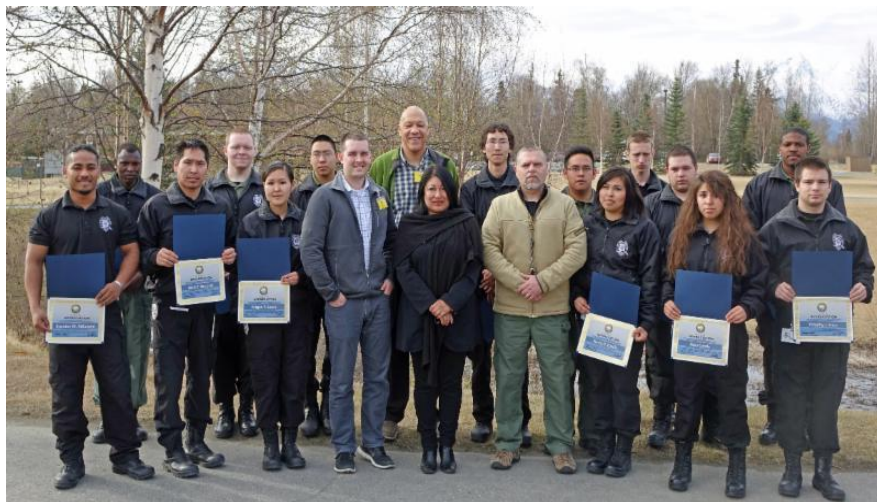
The CRO would like to thank the following event supporters for contributing to another successful ACCD event. AKA Hauling & Plow, AATCA, Alaska Army National Guard, Alaska Industrial Hardware, Alaska Job Corps, Alaska Laborers Training School, AOEETT, Alaska Pacific Rental, Alaska State Fairgrounds, Alaska Regional Council of Carpenters Local 2520, Alaska Teamster, Alaska Works, Anchorage Sand & Gravel, Anchorage School District, AVTEC, Blacque Ice Productions, Construction Education Foundation Inc., DOLWD, DOLWD Mat-Su Job Center, Mat-Su School District, Military Youth Academy, NECA IBEW, Northern Industrial Training, Painters & Allied Trades Joint Apprenticeship and Training, Red Box, SACTC, Safety Inc./Zee Medical, Sheet Metal Workers Apprenticeship Program, Subway of Mat-Su and University of Alaska Mat-Su College.



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**Accolades to Alaska Job Corps Security Specialists at ACCD**

On Friday May 1, the Civil Rights Office (CRO) visited Alaska Job Corps (AJC) in Palmer, Alaska and presented certificates of achievement to 14 security students. The certificates that were presented acknowledged the student's efforts in the Alaska Construction Career Days (ACCD) event hosted at the Palmer Fairgrounds on April 22, 2015. The AJC security student's efforts were greatly appreciated and resulted in the success of the event. The CRO would like to highlight their services and thank them for their hard work.



**DBE/OJT Support Services Update: Quality Assurance Reviews**



The DBE/OJT Support Services has begun conducting Quality Assurance Reviews (QARS) in the Central and Northern Region. QARs give the Civil Rights Office (CRO) an opportunity to speak with the ADOT&PF project engineers on the project, the prime contractor, any DBEs, and the On-Job Training (OJT) apprentices. The purpose of QARs is a way to conduct a "health check" of ADOT&PF projects. In other words, it allows CRO staff to have a presence on Federal-Aid projects as mandated by FHWA. Additionally, QARs streamline the clearance/close-outs of projects by ensuring that all necessary tracking forms have been completed and are up to date. These forms include; Commercially Useful Functions (CUF) (25A-298), Monthly Summary of DBE Participation (25A-336), the Self Certification for Subcontractors (25D-042, and all OJT recording forms (25A-310-313). QARs also ensure that EEO requirements are being made. The CRO plans to continue conducting QARs throughout the summer. If you have any questions regarding QARs please email [norma.lucero@alaska.gov](mailto:norma.lucero@alaska.gov) or [matt.delabruere@alaska.gov](mailto:matt.delabruere@alaska.gov) or dial 907-269-0844.

### **OFCCP Final Rule Prohibits Discrimination Based on Sexual Orientation and Gender Identity**

The Department of Labor's (DOL) Office of Federal Contract Compliance Programs (OFCCP) issued a final rule Dec. 9 implementing Executive Order 11246, which prohibits federal contractors from discriminating against lesbian, gay, bisexual, and transgender employees and prohibits discrimination based on sexual orientation and gender identity in federal workforce.

On July 21, 2014, President Obama signed Executive Order 13672 extending workplace protections to employees in the federal contracting

workplace on the bases of sexual orientation and gender identity. This Executive Order amended Executive Order 11246 and directed the Secretary of Labor to prepare regulations implementing the new protections. As a result, on December 3, 2014, the DOL announced a Final Rule changing Office of Federal Contract Compliance Programs (OFCCP) regulations so that they prohibit discrimination based on, and require treatment of applicants and employees without regard to, sexual orientation or gender identity.

Under the final rule contractors must include an updated equal opportunity clause in new or modified contracts. The regulations go into effect on April 8, 2015, applying to Federal contractors who hold contracts entered into or modified on or after April 8, 2015.

For more information on the final rule, visit DOL's website.

Resources:

Final Rule: <http://www.gpo.gov/fdsys/pkg/FR-2014-12-09/pdf/2014-28902.pdf>

DOL's Website:

[http://www.dol.gov/ofccp/regs/compliance/directives/dir2014\\_02.html](http://www.dol.gov/ofccp/regs/compliance/directives/dir2014_02.html)

### **Reminder: Update your DBE Profile**

In efforts to keep all DBE information accurate and updated, please review your DBE Directory profile. For your convenience, here is the link

<http://www.dot.state.ak.us/cvlrts/directory.shtml>

If you would like to add or delete work categories you no longer perform or wish to perform, contact our Certification Staff to initiate the changes to your DBE profile. The Certification Staff may be reached by emailing [corlotta.robinson@alaska.gov](mailto:corlotta.robinson@alaska.gov) or [ann.pham@alaska.gov](mailto:ann.pham@alaska.gov) or by dialing 269-0851.

### **CRO Intern Experience: Tai Kim**

My name is Tai Kim. I'm a student at UAA majoring in Justice with a minor in Theatre. I've been interning for ADOT & PF's Civil Rights Office for about two months. Part of my job is to drive around Anchorage to take various measurements of curb ramps. After a few days in the field we spend a day in the office inputting data into Excel. Our supervisor, Jacquie, gave each team of interns specific routes to cover across town. She's been doing a wonderful job of organizing this project for the interns. We hope that most of the curbs in Anchorage are ADA compliant.

My coworker James and I have become a very dynamic and efficient team over such a short period of time. We take pride in the fact that we get to work outside. More importantly, we take pride in working for a civil rights office. As a justice major this is very significant to me. If I become a law enforcement officer I'm going to uphold the law with the utmost respect for everyone's civil rights. Therefore, it feels good to assist in Anchorage's transition to an accessible city. It's a pleasure working with such wonderful people for a just cause!



### **ADA Transition Plan**

You may have noticed subtle changes occurring over the last twenty five years. Specially trained dogs (and sometimes horses) in bright vests sitting patiently at feet of their person on airplanes, buttons that open doors, the increasing participation of persons with developmental disabilities in the civic sphere and better sidewalks. The passage of the Americans with Disabilities Act (ADA) in 1990 sought to provide equal opportunity for persons with disabilities in employment, public accommodation and commercial facilities, telecommunications, and the services provided by State and Local governments. For those of us tasked with providing services to, well everyone, this means that we are required to undergo a self-evaluation asking ourselves: Just how well are we meeting the needs of those persons protected under the ADA?



As we enter a new age of disability awareness a half-century after our first mobility-impaired president, Franklin D. Roosevelt. (Though considered to be the first President to experience disability the title actually belongs to Thomas Jefferson who was reported to have many learning challenges such as dyslexia.) The ADOT&PF is moving forward with the development of the ADA Transition Plan which calls us to:

1. Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities;
2. Describe the methods to be used to make the facilities accessible;
3. Provide a schedule for making the access modifications; and
4. Identify the public officials responsible for implementation of the Transition Plan.

When you think ADA and Transportation you may think buses and accessible vans, but the transit agencies are also doing a phenomenal job providing services and a few have their own transition plan. Being builder types we decided to focus on the built infrastructure: the sidewalks and curb ramps. Over the past two months, in the summer heat, our interns have traversed Anchorage and Fairbanks, Eagle River and North Pole, Girdwood and Fox, the Mat-Su Borough and are headed out to the Kenai Peninsula, Nome, Bethel, and Kodiak. They are identifying cracks, steep slopes, and other non ADA-compliant features that can cause real issues to those of us who experience disabilities.

We have held one public meeting in Anchorage and have two more scheduled in Fairbanks (6:30pm July 7th at Ravens Landing) and Juneau (6pm July 9th at Centennial Hall). We'd love to have anyone who is interested come out and join the discussion. Are we, as a department, reaching our goal of providing equitable and accessible transportation in the State of Alaska? How can we do better? If you're unable to attend a meeting

and would like to contribute please submit a [comment](#).

## Civil Rights Office New Employees and Promotions

### Ben Wright

Ben Wright is the Office Assistant for the Civil Rights Office with the State of Alaska Department of Transportation. He has spent most of his career, approximately 9 years, in the home mortgage industry with both Wells Fargo and Alaska USA FCU. Much of this time included assisting people of various backgrounds, which garnered a earnest desire to create a sense of fairness both with customers and fellow coworkers. Ben's hobbies include writing, reading, and studying various science disciplines.



### Jacquie Braden

The Civil Rights Office is pleased to welcome Jacquie Braden as our new Title VI Specialist and ADA Coordinator. Jacquie is a lifelong Alaskan and graduate of UAA. Having worked for Alaska Geographic and the Department of Environmental Conservation, she is passionate about empowering underrepresented populations through responsible environmental management and civic engagement. Outside of work, she enjoys building community through the arts and outdoors, supporting local music, and



playing in her backyard with her niece, nephew and her dog, Fern.



***The ADOT&PF operates Federal Programs without regard to race, color, national origin, sex, age, or disability. Full Title VI Nondiscrimination Policy: [dot.alaska.gov/tvi\\_statement.shtml](http://dot.alaska.gov/tvi_statement.shtml). To file a complaint go to: [dot.alaska.gov/cv/rts/titlevi.shtml](http://dot.alaska.gov/cv/rts/titlevi.shtml)***