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| **Instructions:*** Complete this form, *including the questions on page 2* regarding Bulletin Boards Location, On-Site EEO Meetings Frequency, and EEO Officer Name. Save a copy in the project folder.
* Disseminate a copy with the applicable Preconstruction Minutes:

**Construction**: MDT-CON-108-03-1 **Maintenance**: MDT-CON-010 |
| **Date:**Click here to enter a date. | **Information Presented by:**Click here to enter text. |
| **Project No:**Click here to enter text. | **Project Name:**Click here to enter text.  |
| **Contract ID / Purchase Order No:**Click here to enter text. | **On a Tribal Reservation:**Yes[ ]  No[ ]  |
| **Prime Contractor:**Click here to enter text. | **Engineering Project Manager / Maintenance Superintendent:**Click here to enter text.  |
| **Estimated Start Date:**Click here to enter date. | **District / Division:** Choose an item. |

# Compliance Requirements

**23 CFR Appendix A to Subpart C of Part 230 II.B.3.** Requires MDT to advise the contractor of the EEO contract requirements at any preconstruction conference held in connection with a Federal-aid contract.

This document outlines the compliance requirements for the Office of Civil Rights. Requirements associated with this project are:

* Non-Discrimination and Equal Employment Opportunity (EEO)
* Subcontractor Payments (page 3)
* Disadvantaged Business Enterprise (DBE) / Small Business Enterprise (SBE) Participation Functions (page 3)
* Americans with Disabilities Act (ADA) (page 4)

# Non-Discrimination and Equal Employment Opportunity (EEO) Compliance

The **Required Contract Provisions, Federal-Aid Construction Contracts (FHWA 1273)** outline requirements relating to EEO responsibilities. FHWA 1273 also applies to and ***must*** be incorporated into all tiers of subcontracts. These can be found at: <https://www.mdt.mt.gov/other/webdata/external/civilrights/FHWA_1273.pdf>

The **EEO Affirmative Action Requirements** specify a statewide employment goal of 6.9 percent females in each trade and an assigned percentage goal by county for minorities in each trade. These can be found at:
<https://www.mdt.mt.gov/other/webdata/external/civilrights/special-provisions-eeo.pdf>

As a contractor on a Federal-aid Construction Project with the Montana Department of Transportation, whenever an opportunity to hire presents itself, the contractor and all subcontractors must exercise every good faith effort to recruit minorities and females to fill vacant positions.

**Annual EEO Policy Statement:** Each prime contractor and subcontractor must have an Annual EEO Policy Statement in place ***prior to start of work***.

Using Microsoft Edge, or Chrome as your browser, complete and submit the web form found at: <https://www.mdt.mt.gov/business/contracting/civil/eeo-form.aspx>. A link to a confirmation letter with a unique reference number will immediately display in your web browser. Save or print this letter for your records. MDT does not issue approval letters. Receipt of your EEO Policy Statement constitutes approval and will be emailed to your EEO Officer from the Office of Civil Rights Contractor Compliance Program Manager. The confirmation letter is not needed once you receive your EEO Policy Statement.

A list of **contractors with a current year EEO Policy Statements** on file can be found at: <https://app.mdt.mt.gov/ess-eeo/>

**Bulletin Boards:** Bulletin Boards must be located on the project in an area accessible to all employees and available at all times. The MDT Engineering Project Manager / Maintenance Superintendent will approve the location and contents of the board. Three ring notebooks in an unlocked vehicle can only be used if the work is mobile such as fencing, striping, or traffic control. Subcontractors may use the Prime's bulletin board as long as their own EEO information is posted on it.

**Bulletin Board Location:** Click here to enter text.

EEO Required **Bulletin Board Materials** can be downloaded at: <https://www.mdt.mt.gov/business/contracting/civil/cc-bulletin.aspx>

**On-site EEO Meetings**: Will be conducted weekly[ ] ; every other week[ ] ; or monthly [ ]
The MDT Engineering Project Manager / Maintenance Superintendent shall be notified when the EEO on-site meeting will be held.

**The Prime Contractor's EEO Officer is:** Click here to enter text. All employees need to know who the EEO Officer is. This person is expected to attend compliance reviews and must be able to demonstrate what affirmative action has been taken by the prime and each subcontractor to recruit minority and female employees.

**Field Inspections:** EEO Compliance inspections will be conducted during working hours by the Office of Civil Rights staff or by members of the MDT Engineering Project Manager’s / Maintenance Superintendent’s staff.

**FHWA 1391 Reporting:** Prime contractors and lower-tier subcontractors with subcontracts where the ***Prime contract is $10,000 or more*** must complete the FHWA 1391 form for work performed during the last FULL pay week in July. This may indicate you are reporting a different week for each MDT project. The reporting week will be between July 1-31 depending on when your payroll week starts. The report data is by gender and ethnicity and includes apprentices and on-the-job trainees.

Each year MDT will send an email notification reminding all contractors who have received an EEO Annual Submission Confirmation Letter for the current year to submit their FHWA 1391. Completed reports will be submitted to the Office of Civil Rights Contractor Compliance program mdtcontractorcompliance@mt.gov.

If you have questions, contact the Contractor Compliance program manager atcferguson@mt.gov 406-444-6945

# Subcontractor Payments

Submit payment information for all subcontractors and suppliers to the Department within the timeframes shown below. Identify any payments that have been withheld from subcontractors or suppliers.

* Prime contractors with first tier subcontractors or suppliers within 7 calendar days of payment from MDT.
* Subcontractors with lower tier subcontractors or suppliers within 7 calendar days of payment from their parent contractor.

Submit payment information at the following link: <https://app.mdt.mt.gov/spr//>

If you need access to the system, contact the Office of Civil Rights to designate a subcontractor payments report for your business at mdtdbeprogram@mt.gov or 406-444-6042.

# Disadvantaged Business Enterprise (DBE) Compliance and Small Business Enterprise (SBE) Compliance

MDT's DBE Program Plan, including the Policy Statement and Small Business Participation measures are located here: <http://www.mdt.mt.gov/other/webdata/external/civilrights/dbe/program-guide.pdf>

In the event of questions or concerns, contact the Office of Civil Rights DBE Program at
(406)444-0841 or mdtdbeprogram@mt.gov.

**DBE Goal**

MDT’s statewide FHWA DBE goal is 6.3%.

# Americans with Disabilities Act (ADA) Compliance

**MDT’s ADA Transition Plan** directs the department’s efforts to provide an accessible transportation system within the state of Montana. The plan provides an overview of MDT’s external ADA program, outlines MDT’s mission and ADA policy, and identifies methods to assist MDT in complying with ADA regulations. <https://www.mdt.mt.gov/pubinvolve/ada/docs/ADATransitionPlan-FINAL-withAppendices.pdf>

In all cases, MDT designs and constructs ADA features in compliance with ADA requirements to the maximum extent feasible. Installation of ADA features during construction needs to be compliant and the measurements documented to show that barriers were removed.

**Forms for ramp documentation** are available at the following links:

* Combination Parallel-Perpendicular Ramp: <http://www.mdt.mt.gov/other/webdata/external/const/forms/ADA_Documentation/MDT-CON-608_Combination.xlsx>
* Depressed Corner: <http://www.mdt.mt.gov/other/webdata/external/const/forms/ADA_Documentation/MDT-CON-608_Depressed_Corner.xlsx>
* Parallel Ramp: <http://www.mdt.mt.gov/other/webdata/external/const/forms/ADA_Documentation/MDT-CON-608_Parallel.xlsx>
* Perpendicular Ramp: <http://www.mdt.mt.gov/other/webdata/external/const/forms/ADA_Documentation/MDT-CON-608_Perpendicular.xlsx>
* Perpendicular Ramp – Shared Landing: <http://www.mdt.mt.gov/other/webdata/external/const/forms/ADA_Documentation/MDT-CON-608_Shared_Landing.xlsx>

Save completed forms in the MDT electronic project file. If you have questions, contact the ADA Coordinator at (406)444-5416 or mmaze@mt.gov