

ATTACHMENT M:
Title VI Contractor Evaluation Letter and Form



CITY OF SAINT PAUL

ALASKA

City of Saint Paul Title VI Contractor Evaluation

Introduction

The City of Saint Paul (CSP) is a recipient of federal funding. As a recipient, the City of Saint Paul is required to comply with Title VI of the Civil Rights Act of 1964, as amended and other nondiscrimination laws and authorities. Title VI of the Civil Rights Act of 1964, and other directives prohibit agencies and sub-recipients receiving federal assistance from discriminating against anyone or any group in the United State on the grounds of race, color, national origin, sex, age, disability or low income. The U.S. Department of Transportation (USDOT) and Federal Highway Administration (FHWA) Regulations (49) Code of Federal Regulations (CFR), Part 21, and 23 CFR, Part 200 respectively, and other applicable orders and authorities provide guidelines, actions, and responsibilities for CSP's implementation of the Title VI Program. These laws and regulations include, but not limited to, the following:

- **The 1970 Uniform Act (42 USC 4601)** – prohibits unfair treatment of displacees
- **Title VI of the Civil Right Act of 1964 (42 USC Sec 2000d et se, 8 stat. 252)** – prohibits discrimination on the based on race, color, and national origin
- **Section 504 of the 1973 Rehabilitation Act (29 USC 790)** – prohibits discrimination based on disability
- **The Federal Aid Highway Act 1973 (23 USC 324)** – prohibits discrimination based on gender
- **The 1975 Age Discrimination Act (42 USC 6101)** – prohibits age discrimination (any age)
- **The Civil Rights Restoration Act of 1987** – clarified the original intent of nondiscrimination organization-wide
- **Non-discrimination In Federally Assisted Programs of the Dept. of Transportation (49 CFR, Part 21)** – prohibits discrimination based on race, color, or national origin
- **US Dept. of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act (28 CFR, sec. 50.3)** – required oversight of compliance
- **Executive Order 12898 on Environmental Justice (EJ)** – address disproportionately high and adverse human health and environmental effects on minority and low-income populations

- **Executive Order 13166 on Limited English Proficiency (LEP)** – ensure people who are limited English proficient (LEP) have meaningful access to services

In brief, these laws and regulations prohibit discrimination in federally assisted programs and activities. Title VI of the 1964 Civil Rights Act states:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

By contracting with the City of Saint Paul, a contractor is obligated to comply with the laws and regulations listed above and within the Contract executed between the City of Saint Paul and the contractor. The City shall monitor compliance throughout the project, utilizing a Title VI Contractor Evaluation form (Attachment A).

The contractor shall submit the evaluation form within ten (10) days of notification of selection for new contractors or contractors that do not have a current evaluation form on file with the City. During the life of the project, the contractor shall submit the evaluation form on an annual basis. The form shall be submitted to the City at:

**City of Saint Paul
950 Gorbach St.
Saint Paul Island, AK 99660**

Failure to comply with the Title VI provisions may result in cessation of negotiations, withholding of payment, cancellation, termination, or suspension of the contract in whole or in part.

Should you have any questions about the City of Saint Paul’s Title VI requirements, please contact:

Sincerely,



Phillip Zavadil, City Manager
City of Saint Paul, Alaska



TITLE VI CONTRACTOR EVALUATION FORM

This Title VI Evaluation Form is used for both a Pre-award Review and Post-award Review. The City of Saint Paul, Alaska (CSP) is required to conduct routine assessments prior to releasing funds to ensure Title VI compliance. A pre-award review assists the City in determining whether applicants operate in a nondiscriminatory manner. Pre-award reviews can also be used to require applicants to take preventive measures to ensure that discrimination will not occur in their services as a condition of receiving contracts. Pre-award reviews represent a frontline approach to eliminating and preventing discrimination before it occurs.

Post-Award Reviews are generally conducted after a contractor begins the scope of work. However, to minimize the burden on the City's contractors, a form that serves as both a pre-award and post-award compliance tool is herein provided.

The City will also conduct on-site reviews of prime contractors periodically to ensure that the contractor remains in compliance with Title VI and to verify that the contractor has preventive measures to ensure Title VI compliance by their sub-contractors.

Name of Preparer:	Preparer's Title:	
Phone #:	Email Address:	
Name of Organization:	Address of Organization:	
Type of Contractor/Organization: <input type="checkbox"/> Private Organization <input type="checkbox"/> Governmental Agency	<input type="checkbox"/> Supplier <input type="checkbox"/> Other _____	
Workforce for City of Saint Paul, Alaska Project		
Total	% Minority	% Female
Business Ownership/Control Minority Yes <input type="checkbox"/> No <input type="checkbox"/> Female Yes <input type="checkbox"/> No <input type="checkbox"/>	DBE Certified Yes <input type="checkbox"/> No <input type="checkbox"/> SWAM Certified Yes <input type="checkbox"/> No <input type="checkbox"/>	
Does your organization currently have contracts or subcontracts with the City of Saint Paul, Alaska?		Yes <input type="checkbox"/> No <input type="checkbox"/>
What is your organization's most recent date of Title VI approval?		
Status of Project(s):	Value of current Contract(s):	
What does your organization have in place to ensure nondiscrimination in your City of Saint Paul, Alaska scope of work and your programs and services?		

Organization, Staffing, & Training

1. What type of services will your organization provide the City of Saint Paul, Alaska?
2. Identify the person responsible for the administration of Title VI policies and procedures (a Title VI Coordinator), and provide the name, position, and contact information.

Title VI/Nondiscrimination

1. Is your Title VI Coordinator, project managers, and other staff made aware of Title VI compliance and regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21 and the Federal Highway Administration's 23 Code of Federal Regulations 200? Please explain how they are made aware.
2. What procurement procedures does your organization have in place to ensure nondiscrimination in the selection and retention of subcontractors including procurements of materials and leases of equipment? * **N/A is not an acceptable response, please provide a complete answer**
3. How does your organization notify your subcontractors and suppliers of their obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability and low-income populations? ***N/A is not an acceptable response, please provide a complete answer**
4. Are facilities and meeting areas fully accessible to persons with disabilities?
5. Does your organization have a system in place to accommodate persons with disabilities? If yes, how does your organization notify the public? If no, please explain.
* **N/A is not an acceptable response, please provide a complete answer**
6. How are limited English proficient persons made aware that they can receive translation services for access to services? ***N/A is not an acceptable response, please provide a complete answer**

7. Has your organization been reviewed by any governmental agencies for compliance with Title VI and other laws and regulations? If yes, provide a copy of the letter identifying the review findings.
8. Does your organization receive federal assistance (grants, loans, donations of property, or detail of personnel) from any Federal government entity?
9. List any discrimination complaints and/or lawsuits received in Alaska during the reporting period. Include the basis for the complaint (ethnicity, gender, etc.) and summarize the outcome or resolution. If applicable, include a copy of the investigation report.

Disadvantaged Business Enterprises (DBE)

1. Did your organization award any contracts/subcontracts related to City of Saint Paul, AK work to DBEs during the reporting period?
 Yes No
If yes, provide the following:
 - The DBE's name and amount awarded.
 - Total # of contracts awarded to DBEs.
 - Total dollar amount of contracts awarded to DBEs.

I certify that the data given in this report is correct to the best of my knowledge.

Signature:

(Authorized Officer)

(Title)

(Date)