

Transporter

Civil Rights Office Newsletter

July—August—September 2007, Volume VII, Issue 2

Government Contractors Benefit Cooperative Offered by Premera

The world of government contracting can be a stressful, time consuming and exhausting place to work in – even before you are awarded that much sought after contract! During the stages of bidding and contracting, businesses have to think about their resources, their capacity to do the job, their time, funding, and finally – how can I be competitive, successful, and retain my hard working team of employees? These are but a few of the thoughts and questions running through the

minds of many an Alaskan business owner.

Well, Premera Blue Cross Blue Shield of Alaska has come up



with a tool that we believe will lessen your load – and will assist you with being

competitive and help you to retain your key employees. Premera has designed a new fringe benefits program called the **Government Contractors Benefit Cooperative (GCBC)**. This health care program is designed to assist federal government contractors with employees who work under the Service Contract Act or the Davis-Bacon Act.

The focus of the GCBC is to meet the needs of Alaska based businesses by offering

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It is the policy of the Alaska Department of Transportation to ensure compliance with Title VI of the Civil Rights Act of 1964; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, sex, age, disability or national origin.



Transporter is a publication of the Alaska Department of Transportation & Public Facilities
Civil Rights Office

Manager: Jon Dunham | Editor: Beckie M Oliva

Send comments to: beckie_oliva@dot.state.ak.us



The National Center for American Indian Enterprise Development

Founded in 1969, the National Center for American Indian Enterprise Development (NCAIED) is the first national non-profit 501 (c) 3 corporation created and directed by American Indians, solely dedicated to developing American Indian economic self-sufficiency through business ownership. NCAIED supplies technical assistance and consulting services in all areas of business development to American Indian owned small businesses and tribal enterprise operations. NCAIED also works with federal government agencies, corporations and foundations to facilitate a business relationship between American Indian enterprises and private industry.

After nearly four decades, NCAIED commands a strong position in Indian Country and is the oldest and largest American Indian specific economic and business development organization in the nation. They have nine offices staffed with over 50 employees supplying management and technical assistance to Indian businesses and tribes nationwide. Their 1,400 clients operate in a variety of

industries providing products and/or services to the commercial and government markets.

NCAIED assists Native American individual businesses and tribal enterprises wanting to become involved in the federal (state, local and tribal)



procurement process, through its **Marketing and Procurement Services Program (MPSP)**. Their services are free to Native American owned businesses and tribally owned enterprises and they provide technical assistance such as completing certifications & registrations, training & workshops, government buying procedures, electronic commerce and proposal preparation. A primary function of the MPSP is determining a company's suitability for contracting. "The government marketplace poses unique

challenges that can overwhelm or even ruin a company that does not have the maturity or resources to meet them. An MPSP counselor can help determine if their company is ready for government opportunities and how to best position themselves to succeed".

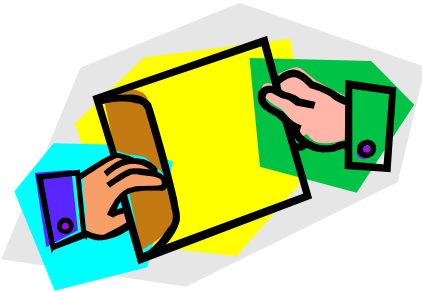
An MPSP counselor can help make sure a business is registered with the various databases necessary to participate in the government marketplace, including the Department of Defense's Central Contractor Registration (CCR), the SBA's PRO-Net, ORCA and other government vendor databases. This is where they connect with the various State DOT DBE programs. The MPSP counselor's assist certain small businesses that are eligible for the DBE preferred status and guide them through the steps necessary to secure the certification. Once the certification is obtained the counselors work very closely with the business and the State DOT to secure DOT contracts. The assistance provided includes identifying solicitations, preparing bids, quotes and proposals and

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DOT examines how to level the playing field for contractors

(Alaska Journal of Commerce article reprinted with permission from June 2007 Issue)

Business has slowed for Green Earth Landworks since the state of Alaska dropped its requirements for hiring minority contractors for its construction projects.



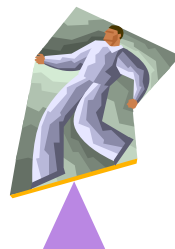
Green Earth owner Christina Eneix said contractors rarely call her seeking bids for landscaping work. On at least two occasions when she believes she was the low bidder for a particular prime contractor, the job went to someone else. And because the minority goals no longer exist, the Hispanic woman had no recourse, she said.

Nor should she, said Paul Landtz, a project manager at Dimond Electric Co., and Lyle Aune, owner of AAA Fence Inc. The system that was set up to require contracts go to minority contractors is unfair, they said. Minority business owners should fight for work along with everyone else, they added.

They were the only speakers at a public meeting held May 21 in Anchorage. The state of Alaska Department of Transportation, along with the Federal Aviation Administration, the municipality of Anchorage and the Alaska Railroad Corp., are conducting a study looking into whether the agencies and their prime contractors are adequately using minority business owners when hiring for some construction projects, and if not, if it is due to discrimination.

The study focuses on contractors certified through the state-administered disadvantaged business enterprise program. DBE certifications are awarded to small, minority-owned businesses that meet certain financial and ownership specifications laid out in federal regulation.

The program isn't perfect, and the study's recommendations should help improve the system, Jon Dunham, DOT's Civil Rights manager, said in a phone interview.



Eneix said that she recently found out that she was



actually the lowest bidder on a job for the state Department of Transportation that was awarded to another nonminority-owned firm. She tried several times to call the project manager. When she got no response, she called his boss, again with no response.

She later heard that the owner of the winning landscaping bid and the awarding contractor were poker buddies, she said.

"That tells me something went on," Eneix said. "To me, it was fairly ridiculous that they didn't call me back. Any professional would return calls. I felt I was disrespected. Now that there is no DBE requirement, there was no protection for me. I would

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Alaska Unified Certification Program Annual Meeting

The Civil Rights Office (CRO) of the Alaska Department of Transportation & Public Facilities (ADOT&PF) held the fourth annual meeting of the Alaska Unified Certification Program (AUCP) on February 8, 2007 in Fairbanks and February 22, in Anchorage.

Mayor Mark Begich again provided the annual opening remarks for the Anchorage meeting, sharing some of his personal work experiences as a small business owner, as well as some of the experiences encountered by his wife, while she tried to build her own small business. The Mayor emphasized that risks and failures are sometimes needed in order to become successful as a small business owner.

The years' topics were Procurement Opportunities, Business Support Services, Short-Term Lending,



Financing, and Bonding. Each of the presenters offered an overview of their program and services offered such as providing assistance, education, and resources to

businesses in search of government contract opportunities.

Deirdre D. Kyle, Principal, D Wilson Consulting Group, LLC, gave a brief update on the development and progression of methods and processes used regarding the Availability and Disparity Study, which began January of this year. Ms. Kyle explained that the disparity study will be conducted in several phases with the end result of providing recommendations on the DBE program.

The 2007 AUCP meetings concluded with AUCP members having their annual meeting to discuss continued cooperation and future collaboration among the AUCP members in Anchorage, Mat-Su, Fairbanks, and throughout the state of Alaska. The AUCP meetings provide a great opportunity for DBE firms to gain additional information about the DBE program; meet the staff of the Civil Rights Office; meet other DBE firms; network with other agencies, contractors, and Primes; and learn about opportunities and training to help further the success and growth of the small business and its owner.

The CRO would also like to take this opportunity to express our appreciation to the Alaska Railroad and Ouida Morrison, Manager, Equal Employment, for securing the use of the conference room at the Comfort Inn in Fairbanks and providing lunch and refreshments. Janet Klatt, Commercial Services Manager, BP/Alyeska, secured the BP/Alyeska conference room, and provided snacks, lunch, and refreshments for the Anchorage meeting.

Thank You AUCP Partners!



The CRO is already planning the AUCP meeting for 2008 and is soliciting recommendations for topics for that meeting. If you have ideas on how we can better serve your needs, please e-mail your comments or recommendations to Linda Babb, our Unified Certification Program Liaison, at:

linda.babb@alaska.gov
(907) 269-0853

See you next year!

*Contributed by: Linda Babb, Certification Officer
Civil Rights Office*

prevailing wage employers comprehensive health plans that deliver great value for federally-mandated fringe benefits. Premera provides a variety of plans to suit the needs of businesses and their employees – regardless of where your employees are located. In offering a health plan utilizing fringe benefit funds, we can assist employers in decreasing their payroll and administrative burdens, and

reduce payroll taxes. An extra added benefit to the employer is that with Premera's excellent reputation for health care coverage and customer service, employers can increase their ability to attract and retain employees.

This program is supported by an Alaskan based Account Management team, which is led by recently hired Teresa Smith as Premera's Account Executive for the cooperative. Teresa's background is in

government contracting, where she managed the various DBE Programs for the Municipality of Alaska, and most recently, held the Executive Director position with the Alaska 8(a) Association.

Interested in learning more? Contact your insurance broker or Teresa at:

Teresa.Smith@Premera.com

Contributed by: Teresa Smith
Premera Blue Cross Blue Shield of Alaska

***If you have
a Tidbit or article
You would like to contribute
please contact:
Civil Rights Office***



administration once the contract is received. Another valuable service they provide is researching procurement histories. "What agencies have bought products like theirs in the past? Which companies have been awarded these contracts? How much have they been paid?" Answers to questions like these are necessary to guide their client's marketing strategy and give them a competitive edge. An MPSP counselor

can help them ask the right questions and get the information they need to succeed.

The National Center has an impressive record working with the various State DOT's, in particular the Arizona DOT. That relationship has assisted countless numbers of businesses in achieving their goals of obtaining DOT contracts.

To be eligible for NCAIED services a business **must be located on or near federally**

recognized reservations, must be 51% Indian-owned or Tribally owned and be a for-profit established business. If you are a prime or subcontractor or a government agency wanting to do business in Indian Country or a tribal enterprise or Indian-owned business wanting to become a client of NCAIED go to:

www.NCAIED.org.

Contributed by: Lou Thompson
National Center for American Indian
Enterprise Development

have utilized the Civil Rights office."

Lance, with Dimond Electric, said he can sympathize with Eneix, but added that he doesn't believe that minority contractors should get special consideration for government-funded work.

"We've had exactly the same lousy experience, but we're not a DBE contractor," he said. "DBEs have cost us million of dollars worth of work."

Prime contractors needing to meet their minority goals sometimes look for minority-owned subcontractors that specialize in electrical work. Primes have hired those companies over Dimond even if Dimond had the lowest bid, Lance said.

That happens in the fencing business too, said AAA Fence's Aune. His biggest competitor is a woman-owned fence company.

"I've got to have a lower price by so much of a percentage before the general contractor will take my number," he said. "It's not fair."



The testimony will add data to the disparity study, which is being done in response to a 9th Circuit Appeals Court decision in a discrimination case filed against the Washington state Department of Transportation. Western States Paving Co., which is owned by a white male, filed suit claiming that minority-owned DBE-certified businesses were unfairly given contracts in at least two cases where Western had the lowest bid.

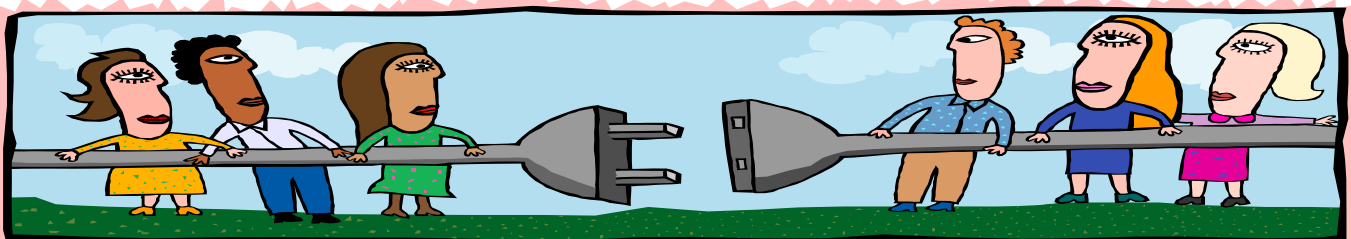
The court determined that states within the 9th Court's district, which includes Alaska, must conduct a study

of the availability and use of DBEs in their local markets.

Before the court decision, Alaska's government agencies mandated that a percentage of the total of each project be awarded to minority-owned businesses. The percentage varied yearly, and depended on where the money came from, but generally was around 5 percent of the total.

The court decision prompted the state to drop the goal requirement for each project, and instead adopt an overall program goal until the study is completed. The current goal for work done with Federal Aviation Administration funds is that DBE-certified businesses would get 6 percent of the total \$200 million in funding for work. The Federal Highway Administration program of \$350 million has a 4 percent goal, while the Federal Transit Administration portion has a goal of 1.6 percent.

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It's still too early in the season to get a good picture of whether the goals are being met, but early numbers for the FHWA program show that contracts are far short of the goal, with less than 2 percent of the total going to minority businesses.

"Since we've dropped the goals, some contractors are doing better than others," Dunham said. "Some contractors have dropped hiring minority subcontractors altogether."

DOT and the other agencies paid more than \$800,000 to D. Wilson Consulting Group of Jacksonville, Fla., to conduct the study. Wilson Consulting is doing the statistical analysis, and subcontracted with the Kansas City, Mo.-based law firm Fields and Brown for the anecdotal and interview portion.

Carla Fields, with Fields and Brown, led four public hearings, two of which were held in Anchorage and Fairbanks, and another in Juneau.

The most interesting discussions during the recent meeting in Anchorage began

after Fields turned off the recorders.

Eneix, Landtz and Aune held a somewhat heated debate over whether the DBE goals and program was fair and justified.

"I started with nothing too and I didn't have help from anyone," Aune said. "We're all equal."

"You might say that, but that's not my experience," Eneix said. "Part of what I see is that this is still a white boys' club."



"No one argues about the need to mentor a new business," Landtz said. "But this program is full of holes. Sure, it's the right thing to do. It's a man's business. All we're saying is make it fair."

The program is federally mandated, DOT's Dunham said, and in his personal opinion, is there for good reason.

"A lot of contracting business seems to be relationship-based and not so much performance based," he said. "We wouldn't have women-owned contracting businesses if not for the DBE program."

"And we do it because it's the right thing to do," he added. "We should be an inclusive society and not be part of a good ol' boy network."

Dunham's office has received reports that banks and bonding companies have received calls from white, male business owners saying that if the bank or bonder dealt with a woman-owned business, they'd lose a customer.

The study should be released in February 2008. DOT officials, along with representatives from the other government agencies involved, will review the study's recommendations and determine how to best implement changes. Some changes may require revisions in bidding and construction standards, Dunham said.

*Written by: Melissa Campbell
with the Alaska Journal of Commerce*

Tentative ADOT&PF Projects for Next Quarter

For more information on Projects visit web site at: <http://dot.alaska.gov/procurement/index.shtml>

State Proj.#	Project Name	Est. \$ Range	Tent.Date Advertise
<i>Central Region</i>			
55430	PALMER URBAN REVITALIZATION (TCSP)	\$500K-1M	Jul-07
58012	ANCHORAGE AREA SAFETY IMPROVEMENT PROJECT 2006	\$1-2.5M	Jul-07
57398	KODIAK Y" INTERSECTION IMPROVEMENTS"	\$1-2.5M	Jul-07
51809	NIGHTMUTE AIRPORT IMPROVEMENTS	\$5-10M	Jul-07
57775	PLATINUM AIRPORT RELOCATION	\$5-10M	Jul-07
59794	KONGIGANAK AIRPORT IMPROVEMENTS-STAGE 1	\$10-20M	Jul-07
57284	CROW CRK ROAD (SEC 330 ERMK) #AK021	\$1-2.5M	Aug-07
58111	BETHEL CHIEF EDDIE HOFFMAN HWY, WATSON'S CNR	\$2.5-5M	Aug-07
53936	AMATS: EAGLE RIVER LP RD RECON: OLD GLENN-EAGLE RIVER RD	\$5-10M	Aug-07
58703	KALIFORNSKY BEACH RD REHABILITATION MP 0 TO MP 16.2 (GF)	\$10-20M	Aug-07
55066	AMATS: CHESTER CREEK TRAIL CONNECTION & UAA SPUR TRAIL	\$1-2.5M	Sep-07
60074	CE HWY DATA EQUIPMENT FY07	\$1-2.5M	Sep-07
54290	AMATS: POTTER MARSH TRAILHEAD ACCESS, PHASE II	\$1-2.5M	Sep-07
58168	MAT-SU: PT MACKENZIE ROAD IMP (SEC 117) AK065	\$2.5-5M	Sep-07
57057	GIRDWOOD ROADS (SEC 330, SEC 115) AK021	\$2.5-5M	Sep-07
<i>Northern Region</i>			
60337	ALAKANUK AIRPORT RELOCATION - STAGE II	\$5-10M	Jul-07
66237	MINTO AIRPORT IMPROVEMENTS	\$5-10M	Jul-07
62896	NOME FRONT STREET STORM DRAIN IMPROV. - FEMA MITIGATION	\$500K-1M	Jul-07
76922	PARKS HWY MP 185-192 RESURFACING	\$2.5-5M	Jul-07
62184	RICHARDSON HWY NORTH POLE INTERCHANGE (GARVEE)	\$20-30M	Jul-07
62168	SELAWIK BOARDWALK & LANDFILL ROAD	\$2.5-5M	Jul-07
60928	CHITINA BIKE/PEDESTRIAN PATH	\$250-500K	Sep-07
62754	EMMONAK FLOOD PERM. REPRS (MAY '05) -AIRPORT/CLINIC RD	\$1-2.5M	Sep-07
62856	FAIRBANKS ACTIVE ADVANCE WARNING FLASHERS (HSIP)	\$500K-1M	Sep-07
62746	NOME SEA STORM (9/05) PERM. RPRS - UNALAKLEET BEACH RD	\$1-2.5M	Sep-07
76780	PARKS HWY MP 315-321 SIGNING IMPROVEMENTS	\$100-250K	Sep-07

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Tentative ADOT&PF Projects for Next Quarter

Continued

For more information on Projects visit web site at: <http://dot.alaska.gov/procurement/index.shtml>

State Proj.#	Project Name	Est. \$ Range	Tent.Date Advertise
<i>Southeast Region</i>			
69081	HAINES SAWMILL CREEK CULVERT REPLACEMENT AK122	\$250-500K	Jul-07
69216	PELICAN BOARDWALK REPAIRS (DENALI COMMISSION)	\$500K-1M	Jul-07
68317	HAINES UNION ST REFURBISHMENT (MAIN ST TO 2ND ST)	\$1-2.5M	Jul-07
68879	SEA REGION SCHOOL ZONE CROSSING IMPROVEMENTS	\$1-2.5M	Jul-07
75249	HAINES MOORING IMPROVEMENTS	\$1-2.5M	Jul-07
68904	KLW AIRPORT WATER & SEWER LINES EXTENSION	\$250-500K	Jul-07
68290	KTN AIRPORT SRE, SAND & CHEMICAL STORAGE BUILDING	\$2.5-5M	Jul-07
68945	SITKA HARBOR BRIDGE BEARING REPLACEMENT	\$1-2.5M	Jul-07
69211	ELFIN COVE BOARDWALK REPAIRS (DENALI COMMISSION)	\$100-250K	Jul-07
68790	SIT JAPONSKI ISLAND UTILITY & ROAD IMPROVEMENTS #AK023	\$1-2.5M	Aug-07
68345	YAKUTAT AREAWIDE PAVING	\$1-2.5M	Aug-07
69208	SITKA INDIAN RIVER ROAD IMPROVMENTS AK143	\$1-2.5M	Aug-07
68598	KETCHIKAN TRANSFER FACILITIES PH III	\$1-2.5M	Aug-07
68226	KTN AIRPORT CREEK BRIDGE (USFS)	\$500K-1M	Sep-07
68473	JUNEAU—WHITTIER AND WILLOUGHBY TRAFFIC IMPROVEMENTS	\$500K-1M	Sep-07





Notes & News About Certification



Newly Certified Firms

➤ **Cheryl Richardson Management Services**
Anchorage, Alaska

Line of Work:

Consultant: Business Service

➤ **Concourse Concessions LLC**
Des Moines, Washington

Line of Work:

Concession: Eating Places

➤ **D Wilson Consulting Group LLC**
Jacksonville, Florida

Line of Work:

Consultant: Non-Construction

➤ **Kappa Mapping Inc**
Bangor, Maine

Line of Work:

Consultant: Photogrammetry & Mapping

➤ **KB Environmental Sciences Inc**
St.Petersburg, Florida

Line of Work:

Consultant: Non-Construction

➤ **Leslie Saunders Insurance Agency Inc**
Charlottesville, Virginia

Line of Work:

Consultant: Non-Construction

➤ **Mi Jung's Cleaning Service**
Anchorage, Alaska

Line of Work:

Consultant: Non-Construction

➤ **Prosser-Dagg Construction Company LLC**
Palmer, Alaska

Line of Work:

Construction: Clearing (Manual), Clearing/Grubbing (Mechanical), Earthwork—Excavation & Embankment, Sitework, Landscaping, Standard Highway Signs (Permanent Installation), Surveying Unlicensed, and Underground—Sewer/Water Line Installation

Consultant: Cost Estimations, and Permitting

Supplier: Equipment Rental—Heavy Equipment, and Signs—Permanent/Temporary

➤ **Tyonek Construction Company LLC**
Anchorage, Alaska

Line of Work:

Construction: Camp Facilities, Clearing (Manual), Clearing/Grubbing (Mechanical), Earthwork—Excavation & Embankment and Sitework, Erosion Control—Armor Mat and Rip Rap, Fencing, Guardrail, Underground—Sewer/Water Line Installation

➤ **UCG Associates Inc**
Chicago, Illinois

Line of Work:

Consultant: Non-Construction and Engineering/Economic Analysis





Notes & News About Certification Continued



Recertified Firms

➤ **Advanced Technologies Integration Inc**
Minneapolis, Minnesota

➤ **Allied GIS Inc**
Anchorage, Alaska

➤ **Aurora Consulting**
Anchorage, Alaska

➤ **Bosworth Botanical Consulting**
Juneau, Alaska

➤ **Cooper Zietz Engineers Inc**
Portland, Oregon

➤ **Crystal Electric Co**
Galena, Alaska

➤ **Cyosk**
Eagle River, Alaska

➤ **Earthscape LLC**
Anchorage, Alaska

➤ **F E Contracting Inc**
Palmer, Alaska

➤ **Grayco LLC**
Auke Bay, Alaska

➤ **H B Rueter Engineering**
Fairbanks, Alaska

➤ **Hall Brothers Trucking Inc**
Fairbanks, Alaska

➤ **Hunter Environmental Associates Inc**
Fairbanks, Alaska

➤ **Interior Concrete Inc**
Fairbanks, Alaska

➤ **Jane Mobley Associates Inc**
Kansas City, Missouri

➤ **Johnson Construction & Supply Inc**
Wrangell, Alaska

➤ **Little Susitna Construction Co Inc**
Anchorage, Alaska

➤ **Nefzger Consulting**
Anchorage, Alaska

➤ **North Bay Corporation**
Kodiak, Alaska

➤ **Northcoast Construction Inc**
Nome, Alaska

➤ **Paracom Inc**
Des Moines, Washington

➤ **Pena Trucking Inc**
Anchorage, Alaska

➤ **SAA Design**
Anchorage, Alaska

➤ **Tikigaq Technology Services LLC**
Anchorage, Alaska

➤ **Tlingit & Haida Technology Industries**
Juneau, Alaska

➤ **Valerie J Southern Transportation Consultant LLC**
Issaquah, Washington



CIVIL RIGHTS OFFICE — STAFF MEMBERS

CRO Manager—Jon Dunham

Responsible for overall Civil Rights Programs implementation and reporting to Federal Highway Administration, Federal Aviation Administration, and Federal Transit Administration for Alaska Department of Transportation and Public Facilities. Overall supervision of the Civil Rights Office Staff.

Compliance Programs—

Reneise D Bagsby Performs contract compliance reviews and enforcement of external EEO, DBE, and OJT programs. Administers the Title VI program under the Civil Rights Act of 1964. Investigates discrimination complaints. Administers department ADA Program. Directly supervises compliance program staff.

Valerie Fletcher-Mitchell Performs audits of ADOT&PF programs and sub-recipients of federal assistance funds based on Title VI of the Civil Rights Act of 1964. Reviews Environmental Documents for compliance with Title VI of the Civil Rights Act of 1964 and the Environmental Justice Executive Order. Provides technical assistance, oversight, and training of ADOT&PF personnel and Federal Highway Administration sub-recipients on Title VI requirements and compliance.

Grace San Miguel Performs contract compliance reviews and enforcement of external EEO, DBE, and OJT programs.

VACANT (Statistical Technician) Maintains the Civil Rights Office database and works with contractors and Federal Highway Administration and Federal Aviation Administration on numerous aspects of reporting.

DBE Certification—

Linda K Babb Administers the DBE certification program by coordinating functions between Alaska Unified Certification Program Members, DBEs, and various agencies representing minority or women owned, small and disadvantaged businesses. Oversees certification outreach, processing of DBE applications, recertifications, and annual reviews. Directly supervises DBE certification staff.

Sharon White-Wheeler Assists businesses with navigating the DBE certification process. Conducts outreach, validates applications and performs recertifications and annual reviews.

Corlotta Robinson Assists businesses with navigating the DBE certification process. Conducts outreach, validates applications and performs recertifications and annual reviews. Liaison for the Alaska Unified Certification Program.

Support Services—Beckie M Oliva

Administers the DBE and OJT Support Services programs, working with contractors bidding on Alaska Department of Transportation and Public Facilities projects.

Administrative Staff—

Hazel Johnson Assists with Civil Rights Office budget, provides office support and assists with the 50% reimbursement training program.

Kim Jenish Handles all incoming communication with the Civil Rights Office and supports the administrative functions of the Civil Rights Office staff.

Alaska Department of Transportation and Public Facilities Civil Rights Office

2200 E 42nd Avenue

Mailing Address: PO Box 196900
Anchorage, Alaska 99519-6900

Phone: (907) 269-0851

(800) 770-6236 (within Alaska)

Fax: (907) 269-0847

Web site: www.dot.state.ak.us/cvlrts/index.shtml