

Transporter

Civil Rights Office Newsletter

April-May-June 2005, Volume V, Issue 2

ALASKA UNIFIED CERTIFICATION PROGRAM ANNUAL MEETING

The Civil Rights Office (CRO) of the Alaska Department of Transportation & Public Facilities (ADOT&PF) held the second annual meeting of the Alaska Unified Certification Program (AUCP) on January 26, 2005 in Fairbanks and January 27, in Anchorage.

Mayor Mark Begich provided the opening remarks for the Anchorage meeting. Mayor Begich explained the importance of entrepreneurs in the community and shared his own personal work experiences about the planning involved and the risks that are sometimes needed in order to become a successful small business owner.

Sam Dickey, Marketing Team Leader, with the Small Business Administration in Anchorage, gave an overview of SBA programs with a focus on Hub Zone, which is an economic development program that uses federal contracting to help distressed communities. Warren Petrasek, Wage & Hour Investigator with the Department of Labor and Workforce

Development, covered the labor/business requirements of Title 23 and Title 36.



Pam Neisus
Native American Bank
of Denver Colorado

Alaska to speak at both of the AUCP meetings about banking services for Alaskan businesses. Ms. Neisus explained that the Native American Bank is uniquely positioned to deal with the issues that have been the historical barriers to economic opportunity in reservation communities and therefore the Native American Bank is able to offer a full range of community banking services such as loans to consumers and small businesses and home mortgages.

A special thank you goes to Pam Neisus, Senior Vice-President of the Native American Bank of Denver Colorado, who came to

Additional speakers for the Fairbanks meeting were Scott

(Continued on page 5)

In This Issue

Alaska Unified Certification Program Annual Meeting.....	1
Disadvantaged Business Program Goal Meetings Set for June.....	2
Annual EEO Report	2
Traffic Control DBE or NOT Traffic Control DBE, That is the Questions	3
Civil Rights Office New Employee	3
Executive Order 13166 – Limited English Proficiency	4
Procurement Links	4
Upcoming Events and Training Opportunities	6
Notes and News About Certification.....	7
Civil Rights Office – Staff Members	8



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



Disadvantaged Business Enterprise Program Goal Meetings Set for June

It's that time again . . . a time when we hold meetings to hear what DBE firms, prime contractors, the public and other concerned individuals have to say about how contracting opportunities for

disadvantaged businesses are managed by the US Department of Transportation recipients in the State of Alaska. It's your opportunity to tell us how the DBE program is managed.

at the following locations and dates:

Fairbanks – June 21, 2005

Noel Wein Library
Conference Room

4:00 to 6:00 pm

Anchorage – June 23, 2005

Lousacc Library
Assembly Chambers

4:00 to 6:00 pm

Juneau – June 28, 2005

ADOT&PF
Regional Conference Rm

4:00 to 6:00 pm

*Contributed by: Jon Dunham
Manager, Civil Rights Office*

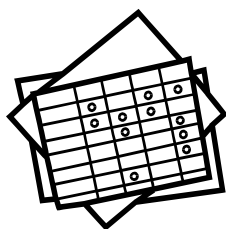


For the second year in a row the Municipality of Anchorage, the Alaska Railroad, the City of Kenai, and the Alaska Department of Transportation & Public Facilities are teaming up with other members of the Alaska Unified Certification Program to discuss our annual DBE participation goals. We will be holding meetings

ANNUAL EEO REPORT

Once again, it's almost time for the annual Equal Employment Opportunity (EEO) Report for all Federal Highway Administration (FHWA) funded projects that have workforce activity during the last full pay period in July 2005 (ending July 31st). This report is required for all contractors. This report should include the number of

employees, NOT the number of workforce hours, for the specified time period. Please remember, this report is for FHWA-funded projects, only.



Please do not report on any other type of project (Federal Aviation Administration, Municipality of Anchorage, etc.).

Completed reports must be received by the Civil Rights Office no later than August 22, 2005. Blank forms and instruction sheets will be provided to the contractors through the regional project engineers. If any assistance is needed, please contact Mary Caterinichio, in the Civil Rights Office, at 269-0846.

*Contributed by: Mary Caterinichio
CRO Statistical Technician*

Traffic Control DBE or NOT Traffic Control DBE, That is the Question

In 1997, the Alaska Department of Transportation and Public Facilities (ADOT&PF) held a series of meetings on the DBE work category "Traffic Control" and concluded the work category was over-concentrated with DBE firms. In fact, DBE firms almost exclusively did the Traffic Control work performed on departmental projects. In December 1997, based on over-concentration, the department received permission to remove Traffic Control as a DBE creditable work category. However, that was not the end of the story.

The United States Department of Transportation (USDOT) states in its regulations for federal aid recipients (49 CFR Part 26) operating a DBE Program, over-concentration occurs in a certain type of work when it unduly burdens the opportunity of non-DBE firms to participate in this type of work. It also states that the recipient must devise appropriate measures to address this over-concentration.

In the ADOT&PF's approved DBE Program we assured USDOT that we would evaluate over-concentration for a given type of work when either of the following conditions have been met:

- ♦ More than 50% of the total number of firms ready, willing and able to perform such work are composed of DBE firms; or
- ♦ DBE firms earned more than 50% of the total federal-aid dollars spent on such work during the previous federal fiscal year.

ADOT&PF will review the types of work and evaluate the circumstances that lead to either of the above conditions. Based on the findings, ADOT&PF will address each instance on a case-by-case basis.

This brings us to our current dilemma, the possibility of bringing Traffic Control back into the ADOT&PF DBE Program for credit. The idea was

well received by the DBE firms but roundly lambasted by some contractors and some ADOT&PF staff.

In order to hear the widest range of discussion on the subject, the Civil Rights Office (CRO) will discuss Traffic Control at its annual DBE goal meetings on June 21 in Fairbanks, June 23 in Anchorage, and June 28 in Juneau. Additionally, the CRO has put together a work group to hammer out the details for the possible reintroduction of Traffic Control for DBE credit.

If you have comments you would like considered, please send them no later than June 28 to:

Jon Dunham, Manager
ADOT&PF Civil Rights Office
PO Box 196900
Anchorage, AK 99519-6900

OR

jon_dunham@dot.state.ak.us

*Contributed by: Jon Dunham
Manager, Civil Rights Office*

Civil Rights Office New Employee

Sharon White-Wheeler joined the Alaska Department of Transportation and Public Facilities (ADOT&PF), Civil Rights Office as a Certification Officer on February 22, 2005. Ms. White-Wheeler was previously employed by the Department of Health and Social Services where she worked as a Community Care Licensing

Specialist and a Disability Claim Adjudicator. Prior to being employed by the State of Alaska, she was employed as a Vocational Rehabilitation Counselor in the private sector. Ms. White-Wheeler has a Bachelor of Arts in Social Work and a Masters of Arts in Vocational Rehabilitation Counseling from Michigan State

University. She has lived in Anchorage for the last 27 years, and has been active in organizations such as the Alaska State Community Service Commission, Hope Chamber of Commerce and Hope Community Library.

*Contributed by: Jon Dunham
Manager, Civil Rights Office*

Executive Order 13166 — Limited English Proficiency

Improving Access to Services for Persons with Limited English Proficiency

On January 17, 2001, the United States Department of Transportation published policy guidance on Title VI's prohibition against national origin (ancestral) discrimination as it affects limited English proficient (LEP) persons. Two key requirements of this executive order are to provide for meaningful access and effective language assistance.

Meaningful Access

All recipients must take reasonable steps to provide meaningful access. Recipients who fail to provide services to LEP applicants and beneficiaries in their federally assisted programs and activities may be discriminating on the basis of national origin in violation of Title VI and its implementing regulations.

According to the Department Of Justice, there are four (4) factors recipients should consider in fulfilling their responsibilities to LEP persons:

- Δ The **number or proportion** of LEP persons in the eligible service population;
- Δ The **frequency** with which LEP individuals come into contact with the program;
- Δ The **importance** of the benefit, service, information or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation/translation); and
- Δ The **resources** available to the recipient and the costs of providing various types of language services, making "reasonable accommodations."

Effective Language Assistance

Options available for providing language assistance:

- Δ Hiring bilingual staff
- Δ Hiring staff interpreters
- Δ Contracting for interpreter service

- Δ Engaging community volunteers
- Δ Contracting with a telephone interpreter service
- Δ Providing written materials in languages other than English

Examples of practices that may violate Title VI:

- Δ Providing services to LEP persons that are more limited in scope or are lower in quality than those provided to other persons;
- Δ Subjecting LEP persons to unreasonable delays in the delivery of services;
- Δ Limiting participation in a program or activity on the basis of English proficiency;
- Δ Providing services to LEP persons that are not as effective as those provided to those who are proficient in English; or

(Continued on page 5)



Project/Procurement information for the Alaska Department of Transportation and Public Facilities can be viewed at the following web address:

<http://dot.alaska.gov/procurement/index.shtml>

***NEW on the Civil Rights Office Links Web Page under Procurement — links to the Alaska Unified Certification Program Members' procurement pages:**

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

△Failing to inform LEP persons of their right to receive free interpreter services and/or requiring LEP persons to provide their own interpreter.

Within the State of Alaska, 12.6 percent of its population over the age of 5 speak a language other than English, and it ranks 18th out of the 50 states in that category.¹ In

addition, the rate of LEP growth in Alaska school enrollment has grown 50.3% from 1992/1993 – 2002/2003.²

Communicating with the public is an integral function of Alaska Department of Transportation and Public Facilities (ADOT&PF). As the demographics of the nation, and this State specifically continues to evolve, it will become even more critical for the department to develop a

plan that addresses meaningful access and incorporates effective language assistance within all of its projects, programs and activities.

1 Source: U.S. Census Bureau, 2003 American Community Survey.

2 Sources: U.S. Department of Education's Survey of the States' Limited English Proficient Students and Available Educational Programs and Services, 1991-1992 through 2000-2001; National Center for Educational Statistics Core of Common Data, 1998-1999 through 2001-2002; FY 2002 Consolidated State Applications for State Grants under Title IX, Part C, § 9302 of the Elementary and Secondary Act (P.L. 107-110); 2002-2003 data reported by state.

Contributed by: Valerie Fletcher-Mitchell
CRO, Title VI Specialist

*AUCP Annual Meeting
(Continued from page 1)*

Swingle, Marketing and Outreach Specialist with the Small Business Administration, who spoke about how to market a business, and Bette Watts, Wage & Hour Investigator with the Department of Labor and Workforce Development, who spoke about Title 23 and Title 36, which included information about labor/business requirements. Topics included employer – employee relationships, certified payroll, child labor requirements, laborers and mechanics minimum rates of pay, as well as other information regarding employment practices and working conditions.

The AUCP would also like to take this opportunity to

publicly thank Ouida Morrison, Manager Equal Employment, with the Alaska Railroad, and Kim Eaton, MBE/Lead Commercial Services, with Alyeska Pipeline Service Company, for covering the expense of the meeting locations, refreshments, and lunch.



Anchorage AUCP Lunch Buffet

The AUCP meetings provided a great opportunity for DBE firms to gain additional information about the DBE program; to meet the staff of the Civil Rights

Office; to learn about the contracting procedures and bid opportunities of the various AUCP member agencies; and to meet other DBE firms.

The CRO is already planning the AUCP meeting for 2006 and is soliciting recommendations for topics to cover during 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@dot.state.ak.us. You can also reach Linda by calling (907) 269-0852

Contributed by: Linda Babb
CRO, Certification Officer

UPCOMING EVENTS & TRAINING OPPORTUNITIES

May 2005

✓ Alliance North Conference Trade Show

May 10 — 11, 2005 COST: \$200
(Tue. 7:30am - 4:15pm) (Wed. 7:30am - Noon)

Location: Anchorage Marriott Downtown
820 W 7th Avenue
Anchorage, Alaska

Sponsored by: Procurement Technical
Assistance Center of Alaska (PTAC)
and Anchorage Chamber of Commerce

REGISTER/Questions: 646-9000

Description: Designed to increase success for
Alaska Businesses that compete for federal,
state, and local government contracts.

Additional Information:

<http://www.ptcalaska.org/alliance2005>

✓ DBE Concessionaire New Rule Meeting

May 25 — 26, 2005 COST: FREE
(Wed. 8:00am - 4:00pm) (Thu. 8:00am - Noon)

Location: ADOT&PF Annex Building
2200 E 42nd Avenue
Anchorage, Alaska

Sponsored by: Ted Stevens Anchorage
International Airport

REGISTER/Questions: 269-0844

Email: beckie_oliva@dot.state.ak.us

Description: Briefing on the new Airport DBE
Concessionaire Rule by USDOT.

✓ DBE & SBA Certification Workshop

May 24, 2005 (Tuesday) COST: FREE
(8:00am - Noon — Presentations)
(1:30 - 3:30pm — One-on-One Assistance)

Location: ADOT&PF Annex Building
2200 E 42nd Avenue
Anchorage, Alaska

Sponsored by: Alaska Unified Certification
Program (AUCP)

REGISTER/Questions: 269-0844

Email: beckie_oliva@dot.state.ak.us

Description: Provide basic information about
certification requirements for the AUCP
DBE and SBA HUB Zone and 8(a)
certification programs. Staff members
from the Small Business Administration,
Procurement Technical Assistance Center,
Municipality of Anchorage, Alaska
Railroad Corporation, and the ADOT&PF
Civil Rights Office will be available.

Additional Information:

www.dot.state.ak.us/cvlrts/forms/wkshp-agenda.pdf



June 2005

✓ Annual DBE Goal Setting Meeting

Fairbanks: June 21, 2005 (Tuesday)
Anchorage: June 23, 2005 (Thursday)
Juneau: June 28, 2005 (Tuesday)

COST: FREE

TIME: 4:00—6:00 pm

Description: These meetings are a collaborative effort between the Alaska Department of
Transportation and Public Facilities, Alaska Railroad Corporation, Municipality of
Anchorage, and possibly other Alaska Unified Certification Program members. For
more information please call 269-0851.



Notes & News About Certification

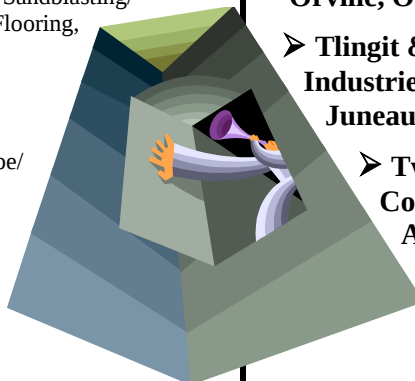


Newly Certified Firms

- **Above and Beyond Communications Inc**
Anchorage, Alaska
Line of Work:
Construction: Telecommunications – Low Voltage
- **Arctic Slope Technical Services**
Anchorage, Alaska
Line of Work:
Consultant: Architect, Civil Engineer, Construction Administration – Inspection and Office Engineering Services, Cost estimations, Drafting & reprographic Services, Electrical Engineer, Engineering/Economic Analysis, Environmental, Graphics, Hazardous Materials Investigation/Remediation and Testing, Mechanical Engineer, Permitting, Photogrammetry & Mapping, Public Involvement, Transportation Planning
- **Chugiak Industries Inc**
Anchorage, Alaska
Line of Work:
Construction: Bridges-Painting/Sandblasting/Sealants; Camp Facilities; Carpentry – Finish and Rough/Framing; Concrete – Cast-in-Place, Curb/Gutter/Sidewalk, and Finish/Special Coatings; Demolition of Structures; Earthwork – Site Work; Exterior Buildings – Painting/Sandblasting/Sealants; Interior Finishing – Insulation, Paint/Wallpaper/Tile, Sheetrock/Drywall Installation, and Tape/Texture; Steel Erection – Buildings; Telecommunications – Line Voltage
- **Chugach McKinley Inc**
Anchorage, Alaska
Line of Work:
Construction: Bridges – Painting/Sandblasting/Sealants; Camp Facilities; Carpentry – Finish and Rough/Framing; Concrete – Cast-in-Place and Curb/Gutter/Sidewalk; Demolition of Structures; Earthwork – Site Work, Exterior Buildings – Painting/Sandblasting/Sealants; Interior Finishing – Insulation, Paint/Wallpaper/Tile, Sheetrock/Drywall Installation, and Tape/Texture; Steel Erection – Buildings
- **Digital Information Solutions Inc**
Lee's Summit, Missouri
Line of Work:
Construction: Telecommunications – Low Voltage
- **Green Earth Landworks LLC**
Anchorage, Alaska
Line of Work:
Construction: Clearing/Grubbing (Mechanical and Hand), Earthwork – Excavation & Embankment and Site Work, Erosion Control – Armor Mat and Rip Rap, Fencing, Hydroseeding, Landscaping
- **Industrial Roofing Inc**
Anchorage, Alaska
Line of Work:
Construction: Carpentry – Rough/Framing and Finishing/Special coatings, Exterior Buildings-Roofing, Hazardous Material Removal/Remediation
- **RBA Engineering**
Anchorage, Alaska
Line of Work:
Consultant: Drafting & Reprographic Services
- **Tatitlek Contractors Inc**
Anchorage, Alaska
Line of Work:
Construction: Carpentry – Finish and Rough/Framing; Clearing/Grubbing (Mechanical); Concrete – Cast-in-Place, Curb/Gutter/Sidewalk, Finishing/Special Coatings, and Foundations/Slabs; Demolition of Structures; Exterior Building – Painting/Sandblasting/Sealants; Fencing; Flooring, Interior Finishing – Insulation, Paint/Wallpaper/Tile, Sheetrock/Drywall Installation, and Tape/Texture; Metal Buildings Erection; Mobilization/Demobilization

Re-Certified Firms

- **A K Enterprises**
Fritz Creek, Alaska
- **Arrow Construction**
Eatonville, Washington
- **Bratslavsky Consulting Engineers Inc**
Anchorage, Alaska
- **Del Norte Surveying Inc**
Anchorage, Alaska
- **EB Enterprises**
Girdwood, Alaska
- **Garrison Corp/Budget Rent a Car of Kenai**
Kenai, Alaska
- **Inuit Services Inc**
Anchorage, Alaska
- **Jeanne Lematta Engineering**
Valdez, Alaska
- **O & S Construction**
Glennallen, Alaska
- **PSI Environmental & Instrumentation**
Anchorage, Alaska
- **Rodney P Kinney Associates Inc**
Eagle River, Alaska
- **Stebbins Rock Products Inc**
Stebbins, Alaska
- **The Heartland Consortium Inc**
Orville, Ohio
- **Tlingit & Haida Technology Industries**
Juneau, Alaska
- **Twin Peaks Construction**
Anchor Point, Alaska



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—

Renease 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.

Donna M Townsend Performs contract compliance reviews and enforcement of external EEO, DBE, and OJT programs. Assists in administering the department's Title VI and ADA programs.

Mary Caterinichio 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—

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

Linda K Babb 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.

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

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—

Judi Flitter Assists with the budget for the Civil Rights Office, provides office support and assists with the 75% reimbursement training program.

Anna J Kline 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